

CITY OF SAN JOSÉ, CALIFORNIA
Department of Planning, Building and Code Enforcement
801 North First Street, Room 400
San José, California 95110-1795

STAFF REPORT

Hearing Date/Agenda Number
P.C. 10/27/0404 Item No.: 3.b.

File Number
CP 04-101

Application Type
Conditional Use Permit

Council District
2

Planning Area
Coyote

Assessor's Parcel Number(s)
Portion of 725-10-012

PROJECT DESCRIPTION

Completed by: Jeff Roche

Location: Easterly side of Monterey Highway, approximately 1,300 feet southerly of Richmond Avenue (9770 Monterey Highway)

Gross Acreage: 0.10

Net Acreage: 0.10

Net Density: N/A

Existing Zoning: R-1-5 Residence District

Existing Use: Monopole/Wireless Communications Antenna for which the prior Permit has expired

Proposed Zoning: No change

Proposed Use: Monopole/Wireless Communications Facility, modifications to the antennas, and the addition of an emergency, back-up generator.

GENERAL PLAN

Completed by: JR

Land Use/Transportation Diagram Designation
Public Park/Open Space with Coyote Valley Urban Reserve Overlay

Project Conformance:
☒ Yes ☐ No
☐ See Analysis and Recommendations

SURROUNDING LAND USES AND ZONING

Completed by: JR

North: Agriculture

County

East: Coyote Creek and Coyote Creek Park chain

R-1-5 Single-Family Residence

South: Agriculture

R-1-1 and R-1-5 Single-Family Residence

West: Agriculture, Residential, and Industrial

R-1-5 Single-Family Residence

ENVIRONMENTAL STATUS

Completed by: JR

☐ Environmental Impact Report found complete
☐ Negative Declaration circulated on

☒ Exempt
☐ Environmental Review Incomplete

FILE HISTORY

Completed by: JR

Annexation Title: Riverside No. 1-B

Date: 02/05/1960

PLANNING DEPARTMENT RECOMMENDATIONS AND ACTION

☒ Approval
☐ Approval with Conditions

Date: *October 21, 2004*

Approved by: *Susan Walton*
☒ Action

OWNER

Anna Saso
9440 Monterey Road, Rt 2, Box 560
Morgan Hill, CA 95037

APPLICANT/DEVELOPER

Verizon Wireless
Attn: Jim Skelly c/o Roger Haas
117 Spreading Oak Drive
Santa Cruz, CA 95066

PUBLIC AGENCY COMMENTS RECEIVED

Completed by: Jeff Roche

Department of Public Works

See attached memorandum (dated, 6/08/04)

Other Departments and Agencies

See attached memoranda from Fire Department (dated, 6/10/04) and Municipal Water (dated, 6/08/04)

GENERAL CORRESPONDENCE

None received

ANALYSIS AND RECOMMENDATIONS

BACKGROUND

The property owner, Anna Saso, on behalf of Verizon Wireless, is requesting a Conditional Use Permit to allow the continued use of an existing wireless communication monopole for which the prior Permit expired, modifications to the antennas that include flush mounting and lowering their height to 101 feet, and the addition of an emergency, back-up generator on a 0.10 gross acre site. The existing monopole includes antennas that project to a height of 110.5 feet.

The Zoning Ordinance requires a Conditional Use Permit (CUP) for wireless communication antennas located in the R-1-5 Single-Family Residence District. This CUP also functions as a Site Development Permit for the installation of improvements, including the emergency, back-up generator.

Surrounding uses include agriculture to the north, Coyote Creek and the Coyote Creek Park chain to the east; agriculture to the south; and agriculture, industrial and residential uses to the west.

An industrial use and a total of (3) three, monopoles/wireless communications facilities are located on the subject site. The residential use shown at the northwesterly corner of the site plan is actually on a separate parcel (APN 725-10-014), and is not located on the subject site (see attached APN Map). The middle one of the three wireless facilities shown on the project Site Plan is the subject of this Conditional Use Permit. The emergency back-up generator will be housed in the existing equipment enclosure. The proposed facility will be unmanned, except for monthly maintenance operations. The goal of this project is to continue to provide and enhance coverage along US Highway 101 and the Monterey Highway area.

In 1996, staff explored the issues of electromagnetic radiation to determine if emissions from antennas of the proposed type posed a public health concern. Staff found that the low-frequency, low-energy, non-ionizing emission associated with wireless communications antennas were well below the recognized safety standards set by the American National Standards Institute (ANSI). Staff concluded there was no evidence that such transmission would result in adverse health effects to people living or working in the vicinity of the antennas. Further, Staff investigated reports that wireless communication transmission interfered with hearing aids, pace makers, and other electronic devices. Staff determined that the reported interference resulted from cordless telephones and not from the antennas.

Permit History

The existing monopole/wireless communications facility was approved in 1984-1985 through a Conditional Use Permit (File No. CP 84-075) and Development Variance (File No. V 85-01-002). The original Conditional Use Permit was approved on December 19, 1984 for a 5-year time period from the date of approval. That Permit expired in 1989. The Development Variance Permit was approved by the Director of Planning on February 4, 1985. The Variance did not include a time condition and has not expired.

ENVIRONMENTAL REVIEW

The Director of Planning has determined that this project is exempt from environmental review under the provisions of the California Environmental Quality Act pursuant to Section 15303 which pertains to the new construction or conversion of small structures such as that which is proposed.

GENERAL PLAN CONFORMANCE

This site has a Land Use/Transportation Diagram designation of Public Park/Open Space with a Coyote Valley Urban Reserve Overlay. The General Plan Discretionary Alternate Use Policy allows new public/quasi public uses regardless of General Plan designation based on the need for the facility and its compatibility with surrounding uses. In light of the applicant's stated need to provide phone coverage in this area of San Jose and the analysis below regarding consistency with the City Council Land Use Policy for Wireless Communication Antennas, staff concludes that the proposed project is consistent with the General Plan based on this Discretionary Alternate Use Policy.

The Urban Design Policies in the General Plan state that where substantial height is intrinsic to the function of a structure and such structure is located so as to avoid significant adverse effects on adjacent properties, height limits may be established in the context of project review. The Plan further states that for communication structures located outside the Downtown Core Area and regulated by the Public Utilities Commission, the maximum height may be 100 feet on sites with non-residential or non-urban land use designations. Staff has included a condition in the Draft Permit requiring the project developer to lower the existing monopole and any new antennas so that the maximum height will be 100 feet, in conformance with the City's General Plan.

ANALYSIS

The primary issues analyzed for the project are: 1) conformance with *Council Policy 6-20, Land Use Policy for Wireless Communications Antennas* and 2) conformance with the Zoning Code.

Council Policy 6-20

The key aspects of the Policy relevant to this proposal include visual impacts, setbacks from residential uses, and permit expirations.

Visual Impacts. The Council Policy specifies that prior to siting a new wireless communication monopole, an alternatives analysis should be prepared to identify alternatives that reduce visual impacts. No alternatives analysis was prepared for this proposal because this monopole is existing. The Policy

specifies that monopoles should be of stealth/slim pole design and that ancillary equipment should be appropriately screened and landscaped. The applicant is proposing to replace the existing "wagon-wheel" array of antennas with a slim pole design with antennas flush-mounted to the pole and to install new landscaping to provide additional screening of the facility. Staff has included a condition in the Draft Permit requiring the applicant to replace the existing chain link fencing with a new masonry wall up to 7 feet in height. The new antennas will be painted to match the existing pole.

Setbacks from Residential Uses. The Council Policy specifies that freestanding monopoles should be located no closer to a parcel developed with residential uses than 35 feet or one foot for each foot of height, whichever is greater. The site plan shows a residence located at the far northwesterly corner of the property; however, the site plan does not show all of the relevant parcel lines and this residence is actually located on a separate parcel. The monopole is located approximately 190 feet from this residential parcel in conformance with the Policy. Staff has included a condition in the Draft Permit requiring that all relevant parcels lines be shown on the project plans to accurately delineate the project site.

Permit Expirations. The Policy specifies that when a Permit expires and the applicant has failed to file for a timely renewal, the antenna facility should be removed from the site. This Conditional Use Permit expired in 1989 when the applicant failed to apply for a timely renewal. The monopole was not removed from the site. Staff has included a language in the Draft Permit that clarifies the applicant's obligation to remove the facility from the site, should this Permit be allowed to expire.

Based on this analysis, staff concludes that the proposed wireless facility is in substantial conformance with the requirements of Council Policy 6-20.

Conformance with the Zoning Code

The Zoning Code issues relevant to this proposal include height, setbacks, and performance standards for power generators.

The maximum height for a wireless communication monopole in any of the City's Zoning Districts is 60 feet. The proposed height of 101 feet is consistent with the Zoning Code based on a Development Variance approved in 1985 to allow this monopole to be constructed at a height of up to 110.5 feet. The current application proposes a monopole with antennas that reach a height of 101 feet. As indicated above, staff has included a draft permit condition requiring the pole to be reduced to 100 feet in height to ensure conformance with General Plan height limits.

The proposed facility is consistent with the 20-foot rear and 5-foot side setbacks of the R-1-5 Residence District. A Bay Area Air Quality Management District Permit has been granted for the proposed generator, bringing it into conformance with the performance standards of the Zoning Code for power generation equipment.

Conclusions

Based on the above analysis, staff concludes that the proposed facility is consistent with the General Plan, the *Council Land Use Policy for Wireless Communication Facilities* and the Zoning Code, and that the current proposal is an improvement over the wireless communication facility approved for this site in 1984.

RECOMMENDATION

The Planning staff recommends that the Planning Commission approve the requested Conditional Use Permit and include the following findings and conditions in its resolution.

The Planning Commission finds that the following are the relevant facts regarding this proposed project:

1. This site has a designation of Public Park/Open Space with a Coyote Valley Urban Reserve overlay on the adopted San José 2020 General Plan Land Use/Transportation Diagram.
2. The project site is located in the R-1-5 Single-Family Residence Zoning District. The maximum height allowed under the Zoning Code is 35 feet. The existing antenna was the subject of a Development Variance issued in 1985 (File No. V 85-01-002), that allowed the height of the pole to be increased from 35 feet to 110 feet. As conditioned, the project developer shall be required to lower the existing pole so that the pole and all new antennas are a maximum of 100 feet tall.
3. The existing monopole/wireless communications facility was approved under a prior Conditional Use Permit (CUP)(File No. CP 84-08-075). That CUP was approved on December 19, 1984, for a five-year time period from the date of approval. That Permit subsequently expired in 1989. As conditioned, this Permit would be valid for five (5) years from the date of issuance by the Planning Commission.
4. This site has a Land Use/Transportation Diagram designation of Public Park/Open Space with a Coyote Valley Urban Reserve Overlay. General Plan Discretionary Alternate Use Policy allows new public/quasi public uses, regardless of General Plan designation, based on the need for the facility and its compatibility with surrounding uses. The proposed project is consistent with the General Plan based on this Discretionary Alternate Use Policy.
5. The Urban Design Policies in the General Plan, state that where substantial height is intrinsic to the function of a structure and such structure is located so as to avoid significant adverse effects on adjacent properties, height limits may be established in the context of project review. The Plan further states that for communication structures located outside the Downtown Core Area and regulated by the Public Utilities Commission, the maximum height may be 100 feet on sites with non-residential or non-urban land use designations. As conditioned, the Permit requires the project developer to lower the existing monopole and any new antennas so that the maximum height will be 100 feet, in conformance with the General Plan.
6. The existing facility is surrounded by agricultural uses to the north, Coyote Creek and the Coyote Creek Park chain to the east, agricultural uses to the south, and agricultural, residential and industrial to the west.
7. The developer will be adding new landscaping to help with screening of ground-mounted equipment.

8. The proposed project would allow the continued use of an existing monopole/wireless communications facility for which the prior Permit has expired, modification to the antennas, and the addition of an emergency, back-up generator on the subject site. The modifications to the antennas include replacement of existing antennas with new antennas that are more closely mounted to the existing pole.
9. This Permit would allow the installation of an emergency, back-up generator. A Permit has been granted for this generator by the BAAQMD.
10. Under the provisions of Section 15303 of the State Guidelines for Implementation of the California Environmental Quality Act (CEQA), this project is exempt from the environmental review requirements of Title 21 of the San José Municipal Code, implementing the California Environmental Quality Act of 1970, as amended.

This Planning Commission concludes and finds, based upon an analysis of the above facts that:

1. The proposed project conforms to the City's General Plan.
2. The proposed project complies with all applicable provisions of the Zoning Ordinance.
3. The proposed project is in compliance with the California Environmental Quality Act.
4. The proposed project is consistent with City Council Policy 6-20: Land Use Policy for Wireless Communication Facilities.
5. Findings are hereby made that the subject proposal conforms to the specific criteria contained in Ordinance Number 26456 to establish regulations for Electrical Power Generation, San Jose Municipal Code Sections 20.20, 20.30, 20.40, 20.50, 20.80, 20.100, and 20.200.
6. The Power Generation Facility will be enclosed to buffer adjacent uses.
7. Outdoor activities and facilities will be screened by walls or other devices compatible with the surrounding neighborhood.

Finally, based upon the above-stated findings and subject to the conditions set forth below, the Planning Commission finds that:

1. The proposed use at the location requested will not
 - a. Adversely affect the peace, health, safety, morals or welfare of persons residing or working in the surrounding area; or
 - b. Impair the utility or value of property of other persons located in the vicinity of the site; or
 - c. Be detrimental to public health, safety or general welfare; and

2. The proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this title, or as is otherwise required in order to integrate said use with the uses in the surrounding areas; and
3. The proposed site is adequately served:
 - a. By highways or streets of sufficient width and improved as necessary to carry the kind and quality of traffic such use would generate; and
 - b. By other public or private service facilities as are required.

In accordance with the findings set forth above, a Conditional Use Permit to use the subject property for said purpose specified above and subject to each and all of the conditions hereinafter set forth is hereby granted. This Planning Commission expressly declares that it would not have granted this permit except upon and subject to each and all of said conditions, each and all of which conditions shall run with the land and be binding upon the owner and all subsequent owners of the subject property, and all persons who use the subject property for the use conditionally permitted hereby.

CONDITIONS PRECEDENT

This Conditional Use Permit shall have no force or effect and the subject property shall not be used for the hereby permitted uses unless and until all things required by the below-enumerated precedent conditions shall have been performed or caused to be performed and this Resolution has been recorded with the County Recorder.

1. **Acceptance and Payment of Recording Fees.** The "Acceptance of Permit and Conditions" form shall be **signed, notarized, and returned** to the Department of City Planning within **60 days** from the date of issuance of the resolution granting the permit. *Failure to do so will result in this permit automatically expiring regardless of any other expiration date contained in this permit.* Fees for recording a Certificate of Permit with the Recorder for the County of Santa Clara must be submitted along with the Acceptance Form.

CONCURRENT CONDITIONS

The subject property shall be maintained and utilized in compliance with the below-enumerated conditions throughout the life of the permit:

1. **Conformance with Plans.** Construction and development shall conform to approved development plans entitled, "9770 Monterey Road – Morgan Hill, CA" dated, July 22, 2003, last revised in conformance with Condition No. 4, on file with the Department of Planning, Building and Code Enforcement, and to the San José Building Code (San José Municipal Code, Title 24).
2. **Nuisance.** This use shall be operated in a manner which does not create a public or private nuisance. Any such nuisance must be abated immediately upon notice by the City.
3. **Lighting.** This permit allows no new on-site lighting.

4. **Plan Revisions.** Within 30 days of the issuance of this Permit and prior to recordation and issuance of a building permit, the applicant shall acquire an approved adjustment to the project plans to include the item(s) listed below to the satisfaction of the Director of Planning. All adjusted items shall be implemented. Failure to secure said adjustment with the following revisions within 30 days shall render this permit null and void:
 - a. Revise the project plans to lower the height of the wireless antenna facility to 100 feet, to replace the existing chain link fence with a new masonry wall up to 7 feet in height finished to blend in with the surroundings, and to show all relevant property lines to accurately define the project site.
5. **Outside Storage.** No outside storage is permitted for the project except in areas designated on the approved plan set. No barbed, razor, or similar wire or electric fences may be installed as part of this Permit.
6. **Colors and Materials.** All building colors and materials are to be those specified on the approved plan set. All new antennas shall be painted to match the existing pole, and ground-mounted equipment shall be painted to match the existing ground-level equipment.
7. **Building Clearance for Issuing Permits.** Prior to the issuance of a Building Permit, the following requirements must be met to the satisfaction of the Chief Building Official:
8. **Construction Plans.** This permit file number, CP 04-101 shall be printed on all construction plans submitted to the Building Division.
9. **Fire Hydrants.** Public (off-site) and private (on-site) fire hydrants shall be provided as required. The exact location shall be specified by Protection Engineering Section of the Fire Department to the satisfaction of the Fire Chief.
10. **Fire Hydrants and Driveways.** All fire hydrants shall be at least 10 feet from all driveways to the satisfaction of the Fire Chief.
11. **Fire Flow.** Required fire flow for the site is as approved in writing by the Fire Chief.
12. **Hazardous Materials.** Any hazardous materials regulated by Chapter 17.68 of the San José Municipal Code on the site must be used and stored within approved buildings and/or within areas specified on the approved plan set, if any, in full compliance with the City's Hazardous Material Ordinance and the Hazardous Materials Management Plan for the site approved by the San José Fire Prevention Bureau.
13. **Anti-Graffiti.** The applicant shall remove all graffiti from buildings and wall surfaces within 48 hours of defacement.
14. **Discontinuation of Use.** Upon discontinuation of the use of the subject antennas, the applicant shall remove all antenna improvements associated with this permit within 30 days.

15. **Generators.** This permit does include approval of emergency back-up generator on the subject site. The project includes one, Generator, Model SG060 Liquid Cooled Gas Engine Generator.
16. **Operation.** This Stand-by or Backup Electrical Power Generation Facility shall be operated only during interruptions of electrical service from the distribution system or transmission grid due to circumstances beyond the operator's control.
17. **Responsibility.** The Applicant shall agree to be responsible for any damage caused by its activities to any existing public or private structures or facilities.
18. **Liability.** The Applicant shall indemnify and hold harmless the City and any officers and employees thereof against and from all claims, loss, liability, damages, judgements, decrees, costs and expenditures which the City of such officer or employee may suffer, or which may be recovered from or obtainable against the City of such officer or employee, proximity caused by and growing out of or resulting from the exercise of the Permit.
19. **Co-location.** This proposal shall not preclude the co-location of other similar wireless antenna facilities.
20. **Nuisance.** The power generation facility shall be maintained in a manner that does not create a public or private nuisance. For purposes of this Permit, a nuisance shall mean any act or omission that obstructs or causes substantial inconvenience or damage to the public or any member thereof, in the course of, or by the manner of, the exercise of rights created by the granting of the permit.
21. **Compliance with Local and State Laws.** The subject use shall be conducted in full compliance with all local and state laws. No part of this approval shall be construed to permit a violation of any part of the San Jose Municipal Code. The Permit shall be subject to revocation if the subject use is conducted in a manner as to cause a nuisance, as defined above.
22. **Facility Maintenance.** The applicant shall maintain the power generation facility in a safe and clean manner.
23. **Sewage Treatment Demand.** Chapter 15.12 of Title 15 of the San Jose Municipal Code requires that all land development approvals and applications for such approvals in the City of San Jose shall provide notice to the applicant for, or recipient of, such approval that no vested right to a Building Permit shall accrue as the result of the granting of such approval when and if the City Manager makes a determination that the cumulative sewage treatment demand of the San Jose-Santa Clara Water Pollution Control Plant represented by approved land uses in the area served by said Plant will cause the total sewage treatment demand to meet or exceed the capacity of San Jose-Santa Clara Water Pollution Control Plant to treat such sewage adequately and within the discharge standards imposed on the City by the State of California Regional Water Quality Board for the San Francisco Bay Region. Substantive conditions designed to decrease sanitary sewage associated with any land use approval may be imposed by the approval authority.
24. **Exterior Alterations.** No exterior alterations to the structure may be implemented unless and until this Administrative Permit is released to the Building Division.

25. **Facility Design.** Steel service access doors shall be installed on the new enclosure (not chain-link gate). Also, proposed enclosure lighting shall be used strictly for the maintenance and servicing of enclosed equipment, only.
26. **Conformance with Municipal Code.** No part of this approval shall be construed to permit a violation of any part of the San José Municipal Code.
27. **Bay Area Air Quality Management District Permit.** Applicant must operate the backup/standby generator in compliance with a Bay Area Air Quality Management District (BAAQMD) permit.
28. **Outside Storage.** No outside storage is permitted except in areas designated on the approved plan set.
29. **Industrial Waste.** If industrial waste, as defined by Section 15.12 of the San José Municipal Code, is to be discharged into the sanitary sewer system, a clearance shall be obtained from the Water Pollution Control Plant, Industrial Waste Section.
30. **Building Clearance for Issuing Permits.** Prior to the issuance of a Building Permit, the following requirements must be met to the satisfaction of the Chief Building Official:
 - a. *Construction Plans.* This permit file number, CP 04-101, shall be printed on all construction plans submitted to the Building Division.
 - b. *Archaeology.* Pursuant to Section 7050.5 of the Health and Safety Code, and Section 5097.94 of the Public Resources Code of the State of California in the event of the discovery of human remains during construction, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains. The Santa Clara County Coroner shall be notified and shall make a determination as to whether the remains are Native American. If the Coroner determines that the remains are not subject to his authority, he shall notify the Native American Heritage Commission who shall attempt to identify descendants of the deceased Native American. If no satisfactory agreement can be reached as to the disposition of the remains pursuant to this State law, then the land owner shall re-inter the human remains and items associated with Native American burials on the property in a location not subject to further subsurface disturbance.
31. **Air Quality.** The temporary generators will be required to make use of the best available technology to reduce air quality impacts.
32. **Standby/Backup Generator Operation.**
 - a. *Disturbance Coordinator.* Applicant shall post on the site the name and phone number for a disturbance coordinator who shall be available to answer questions and respond to complaints from the neighborhood.
 - b. *Emergency Power.* Testing of emergency power equipment shall be limited to 20 minutes per week and shall not exceed four (4) hours per week.

- c. *Record of Operation.* The generator shall include a non-resettable totalizing counter to record all hours of operation. The applicant shall maintain an accurate record of the operation of the standby/back-up generator to the satisfaction of the Director of Planning of the City of San José and appropriate local, State, and Federal agencies. These records shall cover at least the following items:
- 1). Hours of operation for testing and maintenance.
 - 2). Dates and hours of operation for discretionary use in the event of a power failure.
 - 3). Operational problems, complaints, and difficulties.
 - 4). A log of Special Occurrences to include the following: fires, earthquakes, unusual and sudden settlement, injury and property damage accidents, explosions, discharge of hazardous or other wastes not permitted in the class of the site involved, citizen complaints received, flooding, unscheduled shutdowns, and other unusual occurrences.
 - 5). Dust and litter control efforts and results.
 - 6). Description of materials received, identified by source and material.
 - 7). The records shall be open to inspection by the City of San José and other duly authorized regulatory and enforcement agencies during normal business hours.
- d. *CARB-Certified Ultra Low Sulfur Fuel.* Applicant shall use CARB-certified ultra low sulfur fuel to operate stand-by/backup electrical power generation facilities (generators).
33. **Noise.** The sound level generated on this site shall not exceed 55 dba DNL at any property line adjacent to a property used for residential purposes and shall not exceed 60 dba DNL at any adjacent property line of property used for commercial or other non-residential purposes.
34. **Renewal.** The permit holder may seek renewal of a time-conditioned Conditional Use Permit by filing a timely renewal application on the form provided by the Director of Planning. In order to be timely, an application for renewal must be filed more than 90 calendar days but less than 180 calendar days prior to the expiration of the Conditional Use Permit. Once a renewal application has been filed in a timely manner, the expiration date of the Conditional Use Permit is automatically extended until either the issuance or denial of the application for renewal has become final.
35. **Notice to Applicant.** The property owner is hereby notified of the obligation to remove from the site all improvement authorized by this Permit if the Permit is allowed to expire.

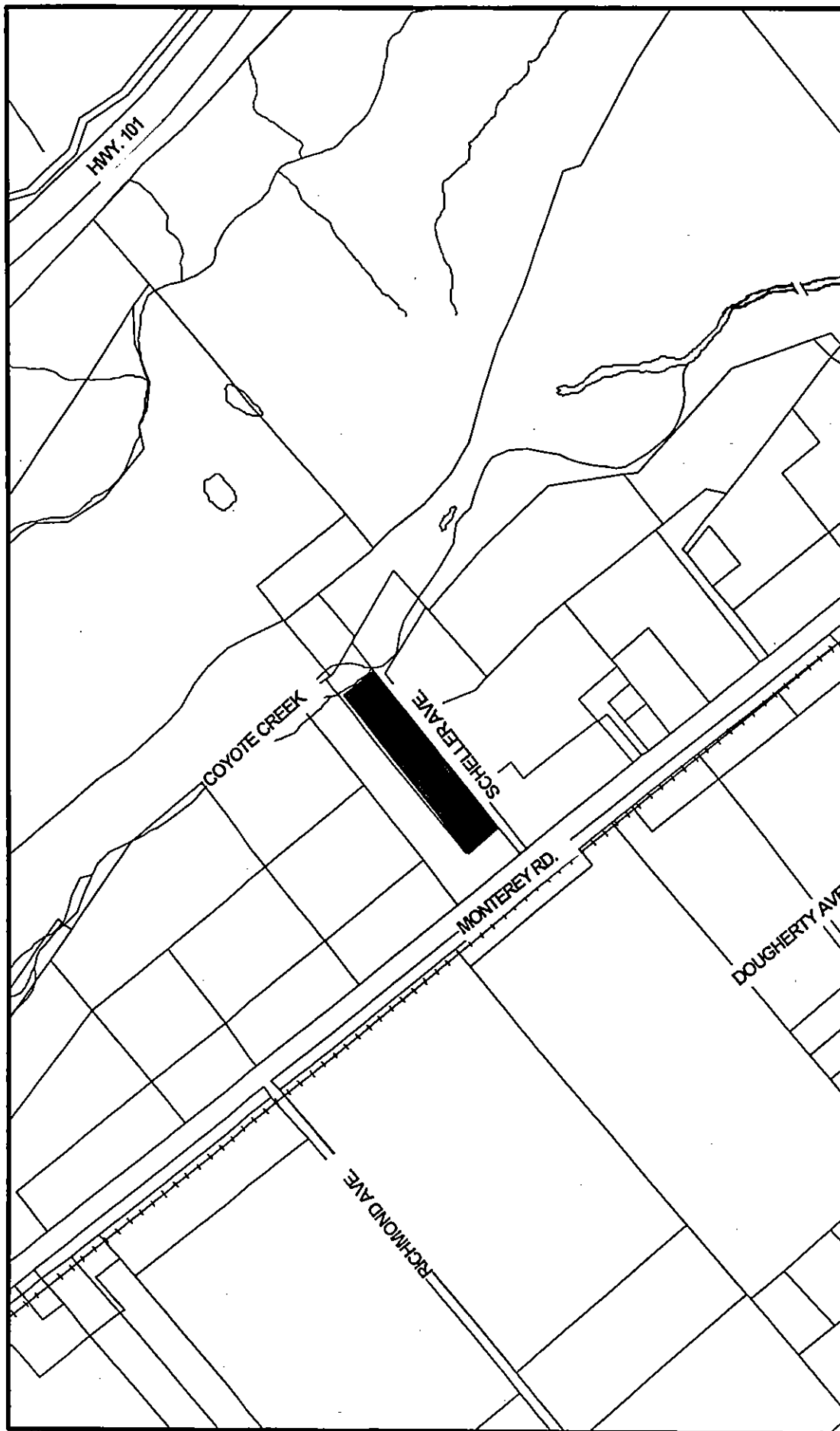
36. **Time Limit.** This Conditional Use Permit expires and has no further force or effect five (5) years from the date this Permit. At that time, that applicant/owner shall provide information to the City to determine if the wireless communications antenna is still needed, based on improvements in technology or availability of alternative building-mounted opportunities in the vicinity.

Please note that this conditional use permit has been granted for a period of five (5) years only. You are being specifically and separately advised of this time limitation so that you will consider this time limitation in your decision to accept this permit or as you make any investment decision related to this property.

CONDITIONS SUBSEQUENT

1. **Permit Expiration.** This Conditional Use Permit shall automatically expire two years from and after the date of adoption of the Resolution by the Planning Commission, or by the City Council on appeal, granting this Permit, if within such two-year period, the proposed use of this site or the construction of buildings has not commenced, pursuant to and in accordance with the provisions of this Conditional Use Permit. The date of adoption is the date the Resolution granting this Conditional Use Permit is approved by the Planning Commission. However, the Director of Planning may approve a Permit Adjustment to extend the validity of this Permit for a period of up to two years. The Permit Adjustment must be approved prior to the expiration of this Permit.
2. **Revocation, Suspension, Modification.** This Conditional Use Permit may be revoked, suspended or modified by the Planning Commission, or by the City Council on appeal, at any time regardless of who is the owner of the subject property or who has the right to possession thereof or who is using the same at such time, whenever, after a noticed hearing in accordance with Part 3, Chapter 20.44, Title 20 of the San José Municipal Code it finds:
 - a. A violation of any conditions of the Conditional Use Permit was not abated, corrected or rectified within the time specified on the notice of violation; or
 - b. A violation of any City ordinance or State law was not abated, corrected or rectified within the time specified on the notice of violation; or
 - c. The use as presently conducted creates a nuisance.

cc: Smith and Company, P.O. Box 81626, Bakersfield, CA 93380

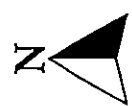


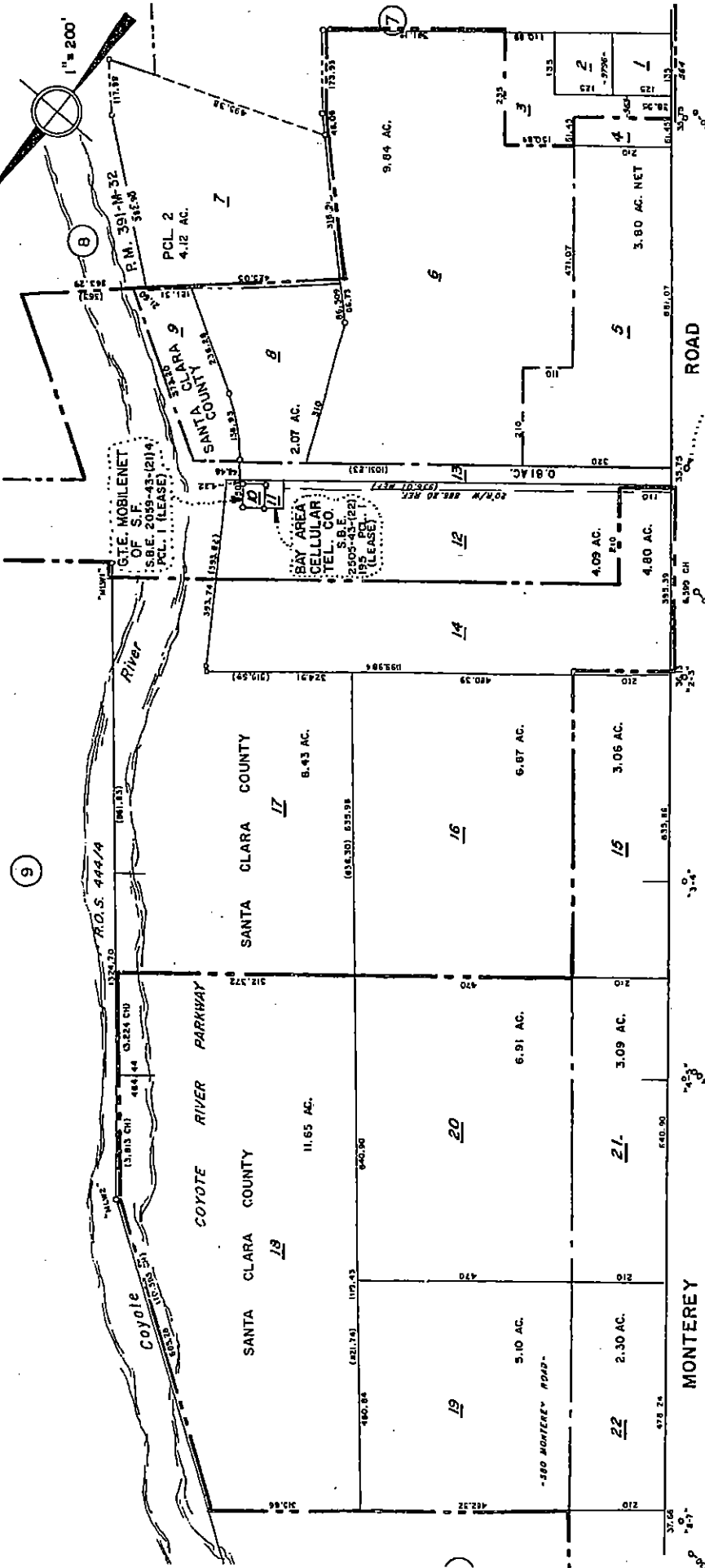
File No: CP04-101

District: 2

Quad No: 157

Scale: 1"= 700'

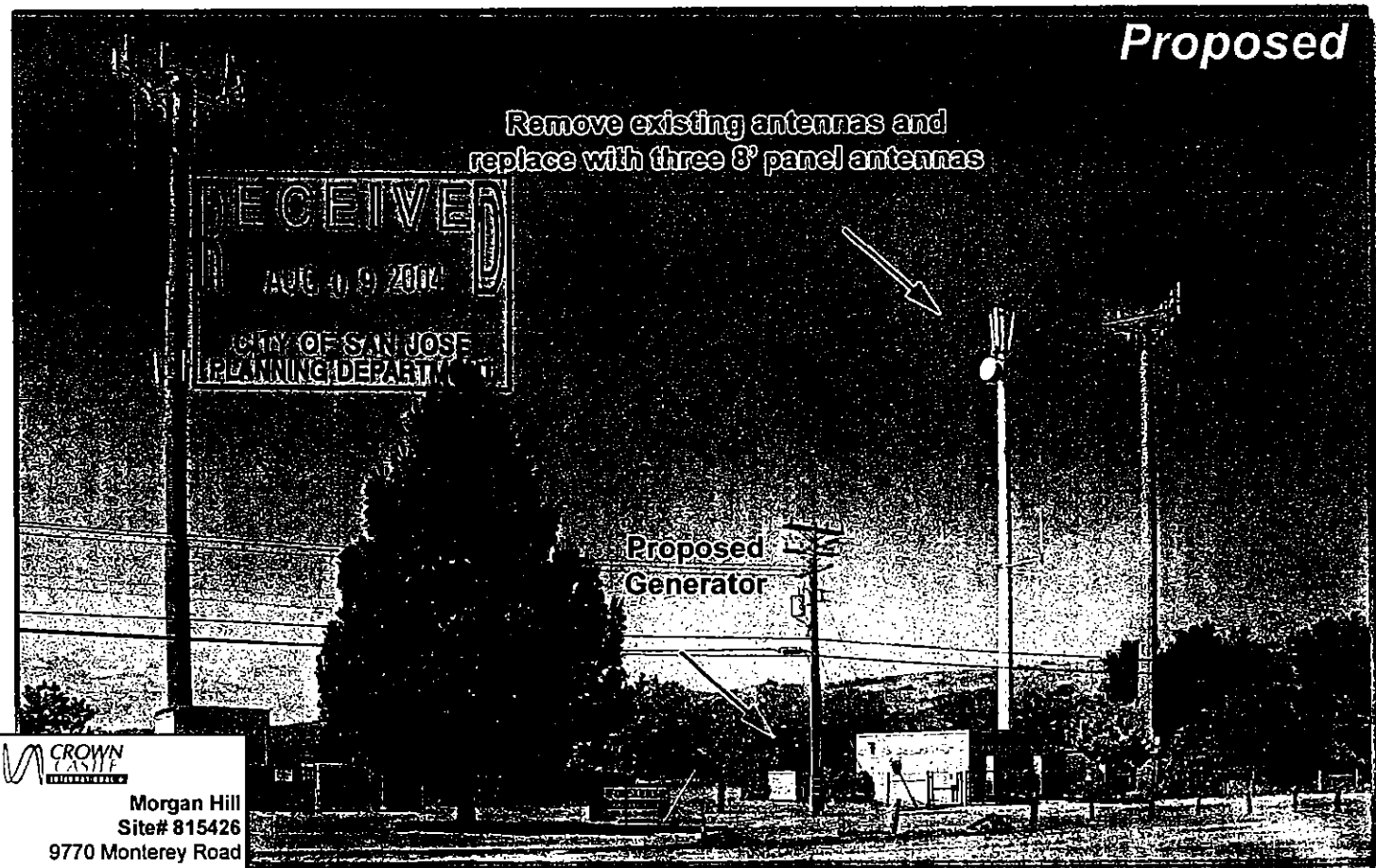
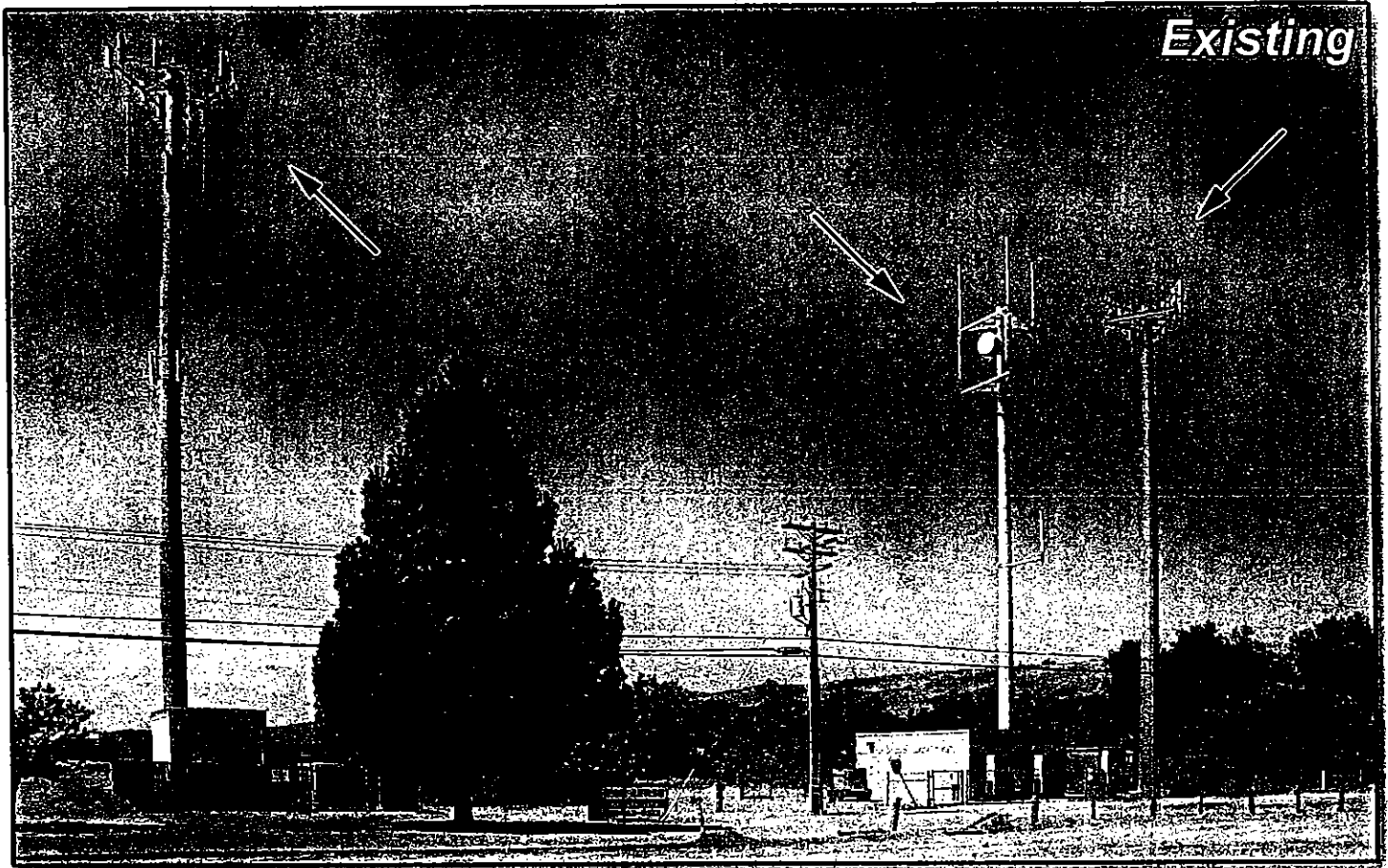




Compiled in accordance with sec. 327 of the
C.C. & T. Code. For assessment purposes only.
Effective for Roll Year 1997-98
LAWRENCE E. STONE - ASSESSOR

BOOK 712

Existing / Proposed View - South Elevation



Morgan Hill
Site# 815426
9770 Monterey Road
Morgan Hill, CA 95037

City of San José, California

CITY COUNCIL POLICY

TITLE LAND USE POLICY FOR WIRELESS COMMUNICATION FACILITIES ¹	PAGE 1 of 6	POLICY NUMBER 6-20
	EFFECTIVE DATE 1/22/91	REVISED DATE 9/16/03

APPROVED BY

Council Action - January 22, 1991; August 11, 1992; August 20, 1996 (9d); September 16, 2003

BACKGROUND

San Jose residents, businesses and public safety personnel depend on wireless communications for convenience, economic activity and security. Wireless communications are a crucial part of our economic infrastructure, and our residents and businesses want more and better wireless services. As the Capital of the Silicon Valley, San Jose should have a high level of wireless service available to its residents and businesses in order to meet increasing demands for new and better services. San Jose has a strong interest in achieving and maintaining a high level of service and substantial competition among service providers.

In response to the emergent need for transmission facilities for use by the wireless communication industry, the City Council originally adopted a land use policy for wireless communication facilities on January 22, 1991. The policy was subsequently revised on August 11, 1992 and August 20, 1996. Title 20 of the San José Municipal Code defines these antennas as both structures and uses, and as such, they require the approval of a development permit. The needs of the wireless communication industry have continued to evolve as new technologies are developed and with the steady growth in the public's use of mobile phones and other forms of wireless communication services. Currently, several hundred wireless communication antennas of various types have been permitted throughout the City to meet the needs of several wireless service providers. These antennas are mounted on buildings, on freestanding monopoles, on the side or top of utility structures, or

on poles attached to the roof of a building, with attendant cabinets or buildings to house associated electrical equipment. The largest number of new antenna installations are building-mounted, and are located in industrial and commercial areas. In residential areas, most structure-mounted antennas are placed within existing utility easements or at non-residential uses such as churches and schools. The City also continues to both issue and renew permits to allow monopole structures, mostly in industrial areas.

Several changes have been made to the City's Zoning Ordinance pertinent to the regulation of new antenna installations. These changes include provisions for an exception to the standard Zoning District height limitations, the permitting of antennas mounted on non-building structures (such as high-voltage power line support towers), and amendments to the use allowances within each zoning district. The latter change was made as part of the City's comprehensive update of the Zoning Ordinance effective on February 19, 2001. Under the current Ordinance, building- or structure-mounted wireless communication antennas are generally considered permitted land uses in the commercial, industrial, open space and agricultural zoning districts and would require a permit adjustment or site development permit. Freestanding antennas and any antenna in a conventional residential zoning district may be approved only through the issuance of a Conditional Use Permit. Previously, the Council Policy did not allow antennas in proximity to existing residential uses, so antennas have been permitted on residentially-zoned land only when the actual land use was non-residential.

¹This Policy focuses on two-way wireless communication facilities. It does not address amateur radio stations, radio or television *transmission-only* facilities or satellite dish *receive-only* facilities.

TITLE LAND USE POLICY FOR WIRELESS COMMUNICATION FACILITIES	PAGE 2 of 6	POLICY NUMBER 6-20
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The City has found that potential land use impacts can result from the development of wireless communication devices, particularly visual clutter and interface issues associated with proximity to residential neighborhoods. In addition, implementation of the City's policies and requirements for undergrounding will further increase the visibility of monopoles after other utility poles and lines are eliminated.

PURPOSE

The City supports the extension of communication services to its businesses and residents, but desires that the necessary communication facilities be implemented in a way that minimizes visual clutter and other land use impacts and provides future opportunities for reducing impacts as changes in technology or development patterns make this possible. The wireless industry is encouraged to continue to make major capital investments in San Jose, and the City will work with the wireless industry to facilitate the continued improvement in wireless services while dealing with and solving problems associated with development of the wireless infrastructure. To this end, the City allows wireless communication antennas through a discretionary permit process to ensure that the development conforms to City requirements and is compatible with its surrounding neighborhood. The City's land use permitting process for wireless installations is contained within the City's Zoning Ordinance. The Zoning Ordinance establishes procedures that allow for the approval of wireless installations through either an administrative or public hearing process. This Policy provides guidelines for the review of new wireless permit applications consistent with and subservient to the procedures established within the Zoning Ordinance. To facilitate the evaluation process for individual permit applications, the following criteria are based on the land use designations in the adopted San José 2020 General Plan and are established to clearly identify the project characteristics necessary for approval.

POLICY

1. Overview

New wireless communication antennas should be sited so as to minimize visual impacts. Integration of antenna installations within new or existing buildings is the preferred approach. New freestanding monopoles should not be implemented where building-mounted² or collocated facilities are feasible and would reduce visual impacts.³ When due to technological requirements or site availability constraints a monopole is the only feasible alternative, wireless communication service providers are encouraged to design new monopoles to accommodate future collocated facilities of lesser height where radio frequency coverage objectives or quality are not unreasonably compromised, and to cooperate in efforts to collocate new antennas on existing facilities. All new monopoles should be time-conditioned to allow periodic evaluation of opportunities for collocating additional antennas on the approved facility and an assessment of technological changes that may allow reduction in the height of the pole or otherwise reduce its impacts.

2. Inappropriate Land Use Designations for Wireless Communication Antennas

Wireless communication antennas which are either freestanding or attached to buildings are discouraged from all residential designations, except Residential Support for the Core, High-Density Residential or Transit Corridor Residential which provide for the integration of commercial and residential uses in an urban setting. Antennas located on residentially-designated properties solely developed with non-residential uses such as parks, schools, public utilities, and churches may be acceptable subject to review in accordance with the City's Zoning Ordinance.

²For purposes of this Policy, "building-mounted" refers to the mounting of antennas on buildings and on other appropriate structures.

³Collocated facilities are defined as facilities belonging to two separate service providers mounted on a single monopole.

TITLE LAND USE POLICY FOR WIRELESS COMMUNICATION FACILITIES	PAGE 3 of 6	POLICY NUMBER 6-20
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Monopoles are discouraged from all Areas of Historic Sensitivity, all Rural Scenic Corridors and Trails and Pathways designations. Locations which could intrude on other uses within these designations are also discouraged.

3. *Criteria for Siting Wireless Communication Antennas*

The following policies are intended to address the potential land use impacts that can result from the development of wireless communication devices, particularly visual clutter and interface issues associated with proximity to residential neighborhoods. Technological constraints and the service needs of the wireless industry should also be considered in the application of these policies.

a. **Visual Impacts.**

Alternatives Analysis: In siting new wireless antennas, service providers should explore alternatives to new monopoles that reduce visual impacts. New antenna installations by definition include height additions to existing monopoles and the issuance of a new permit for an existing antenna with a passed permit, as well as entirely new installations. An alternatives analysis should be prepared for any proposed antenna installation that does not make use of a building-mounted or structure-mounted antenna design architecturally integrated with the supporting building or structure. The alternatives analysis should identify all technically feasible potential location sites which reasonably meet the service provider's radio frequency coverage objectives, particularly building-mounted sites, within the project vicinity, provide analysis as to the feasibility of those alternatives and compare the level of visual impact with that of the proposed project. At a minimum, this analysis should identify the location of all existing monopoles within a quarter mile of the proposed site; provide an explanation of why collocation has not been proposed at each of these sites; and assess the potential for building-mounted alternatives.

Building-Mounted Antennas: Antennas mounted on buildings or other structures should be located to minimize visual impacts and should be architecturally integrated into the structure. The construction of new architectural elements (e.g. new roof structures or parapets, clock towers, or church steeples) should be considered as a means of providing additional height and of camouflaging antennas and may be permitted through an Adjustment Permit procedure. In some cases existing roof elements may provide adequate visual screening for the installation of a new antenna. Although not the preferred approach, it is acceptable to install a single set of antennae (as an installation for one carrier) without new architectural screening. It is not appropriate, however, to install antennae for multiple carriers without some form of architectural screening. To provide increased opportunities for building mounted antennas, through the City's standard development review process, new construction, particularly of buildings of suitable height and width, should be designed to facilitate the future installation of architecturally-integrated, building-mounted antennas. Ancillary equipment shall be adequately screened.

Freestanding Monopoles: New freestanding monopoles should be located and designed to minimize public visibility and "stealth" pole designs should be utilized. "Stealth" poles would include, but not be limited to, smooth taper monopoles that accommodate flush-mounted antennas or incorporate antennas inside the pole structure itself. Ancillary equipment should be adequately screened and landscaped to minimize potential for graffiti vandalism.

Collocation of Facilities on a Single Monopole and Utility Structure Mounted Antennas: Sharing of a single monopole by two or more communication companies or placement of new antenna on existing utility structures within or outside of the public right-of-way or on a Joint Pole Authority (JPA) structure (including 60kV power line poles) can reduce the overall visual impact of the development of wireless antenna networks. When antenna are installed on a utility structure within the public right-of-way, the antenna will need to meet the residential setback

TITLE LAND USE POLICY FOR WIRELESS COMMUNICATION FACILITIES	PAGE 4 of 6	POLICY NUMBER 6-20
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requirements and other standards of this Policy. In all cases, antenna installations and associated equipment enclosures will need to conform the standards of the pertaining zoning district including setbacks requirements.

Equipment Enclosures: Equipment areas should be screened as appropriate based upon site conditions by new or existing landscape materials or built structures. Fence enclosures for the equipment areas are not required where all the equipment is enclosed in a single structure that is architecturally compatible with surrounding development. Otherwise, solid fences or walls may be required to reduce visual clutter. Equipment enclosures need to conform to the setback requirements of the underlying zoning district.

Lighting: No lighting of antennas is allowed except during maintenance activities or as required for safety by the FAA or other regulatory agency.

Landscaping: New landscaping or other visual amenities should be considered to offset the overall visual impact of new freestanding monopole and collocation projects. New landscaping proposed for such purpose should be provided in the form of screening trees located near the antenna location, or as canopy trees for nearby parking areas. Where it is not feasible to provide additional landscaping in proximity to a proposed antenna location, or substantial landscaping already exists on-site, other means of balancing the project's visual impacts shall be considered, such as the provision of additional street trees in the project vicinity or an in-lieu contribution to Our City Forrest.

b. Height.

Antenna installations should conform to the San José 2020 General Plan and Zoning Ordinance height restrictions. The height of antennas mounted on top of buildings and the height of new architectural elements designed to camouflage the antennas should be in proportion to the height of the building.

c. Setbacks from Residential Uses.

Freestanding monopoles should be located no closer to a parcel developed for use as a single-family or multi-family residence than 35 feet or a distance equal to 1 foot for every 1 foot of structure height, whichever is greater. Substantial landscaping (10 feet minimum), generally including trees, should be provided adjacent to the residential property line, to buffer the adjoining residential uses.

Building- or structure-mounted antennas should be located a minimum of 35 feet horizontally from any property with a single-family attached or detached residential use. Similarly, a minimum 35-foot horizontal setback should be provided from any adjacent property with a multi-family residential use. A similar setback separation is desirable for an installation within a multi-family residential development, but in situations where superior alternatives are not available, it may be permissible to place a building-mounted or structure-mounted antenna within 35 feet of a multi-family residential structure. Installation of an antenna may be particularly appropriate within or adjacent to higher density mixed-use residential projects (development consistent with Residential Support for the Core, Transit Corridor Residential and High-Density Residential General Plan designations) that incorporate non-residential uses. If possible, antennas should be incorporated into the design of non-residential structures (e.g. commercial components, clock towers) located within the overall development.

These setback requirements do not apply to associated equipment enclosures which should comply with standard zoning setback requirements. In situations where superior alternatives are not available, antennas may be mounted on an existing utility structure within a utility corridor, such as a P.G. & E. high-tension (200kV or higher) line corridor, where the antenna would be located at least 20 feet horizontally from a single-family residential property line.

TITLE LAND USE POLICY FOR WIRELESS COMMUNICATION FACILITIES	PAGE 5 of 6	POLICY NUMBER 6-20
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d. Performance Standards.

Antenna installations should conform to the performance standards of the underlying zoning district. In particular, associated equipment, including power-generating equipment, will need to meet the pertaining noise and air-quality standards and permitting requirements established within the City's Zoning Ordinance.

e. Parking.

Wireless communication facilities should not reduce existing parking on the site unless the zoning district parking requirements can still be met.

f. Vacant Sites.

Monopoles developed on vacant sites should be removed and where possible should be replaced with building-mounted antennas when the site is developed provided that the new development would allow relocation of the existing antennas at a similar height and disposition.

5. Environmental Review

An Application for Environmental Clearance is required for wireless communication antennas that are determined not to be exempt from environmental review. An Environmental Clearance Application (Initial Study) should be submitted as part of the application for any new stand-alone monopole installation, any installation including power generation equipment or any installation involving designated historic structures. The Initial Study should analyze the potential for visual, noise, air-quality and other environmental impacts for the project. Antenna that qualify for administrative review are typically exempt from environmental review and an Environmental Clearance Application is not necessary.

6. Permit Expirations

The City may include a time limit condition in use Permits to provide for the future review of the

subject antenna installation. Changing development patterns in the area (e.g., a prevailing change from commercial or industrial to residential uses on surrounding properties OR the development of taller buildings or structures in the near vicinity that provide superior collocation opportunities), rapidly changing technologies and/or the availability of improved technologies, may prompt the City upon such review to determine that opportunities have become available to replace the existing antenna with a new antenna that has improved visual and land use characteristics. The typical time limit duration is for a five-year period, but based upon project specific circumstances, a longer or shorter duration may be more appropriate. An extended permit duration of up to ten years can be considered appropriate for smooth taper monopoles placed in light or heavy industrial areas. A time limit typically will not be applied to an antenna installation that includes adequate architectural screening (e.g. enclosure within a church steeple or clock tower structure) or that is mounted on an existing utility structure. A permit may include provisions for a time extension, but such an extension should also be reviewed for possible impact-reducing improvements to the project. Applications for extension or renewal of time-conditioned permits should be scheduled for hearing prior to the expiration of the original permit. In the event that a permit expires and an applicant has failed to file for a renewal of that permit, the antenna developed under the permit no longer has legal status and should be removed by the property owner in order to comply with the City's ordinances. When use of an antenna is discontinued, prior to or subsequent to the expiration of a permit, the antenna should be removed by the property owner.

7. Other Considerations

a. The Director of Planning, Building, Code Enforcement or the decision making body, may impose other appropriate conditions on a project-by-project basis as required to ensure land use compatibility. The criteria in this policy represent

TITLE LAND USE POLICY FOR WIRELESS COMMUNICATION FACILITIES	PAGE 6 of 6	POLICY NUMBER 6-20
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minimum standards for wireless communication antennas.

b. The City should periodically obtain information from the communications industry regarding changes in technology and new communication services that may affect the City's wireless communication networks and access for people with disabilities.

CC6-20 (Rev. 09-08-03)

TO: Jeff Roche
Planning and Building

FROM: Nadia Naum-Stoian,
Fire Prevention Engineer
San Jose Fire Department

**SUBJECT: INITIAL RESPONSE TO
DEVELOPMENT APPLICATION**

DATE: 06/10/04

Approved

Date

PLANNING NO.: CPA84-075-01
DESCRIPTION: Wireless - Conditional Use Permit Amendment to allow the building of mounted wireless communications antenna on a 0.1 gross acre site.
LOCATION: 9770 Monterey Road
ADDRESS: 9770 Monterey Road (9770 MONTEREY RD)
FOLDER #: 04 114635 AO

The San Jose Fire Department has reviewed the related plans as submitted and has the following comments and requirements.

- These comments are based on the following information:
- Site fire flow requirement: 2000 G.P.M.
- Average hydrant(s) spacing: 450 feet - Subject to Fire Department approval
- Comply with comments from the Building/Fire Departments at the plan review stage.
- A permit must be obtained from the Building and Fire Departments. Submit three (3) sets of construction plans to the Building Department, one (1) of those sets of plans will be routed to the San Jose Fire Department for review and comments.
- Fire Department comments to Planning Department File No. CPA84-075-01 apply to this project.
- **THE FOLLOWING CORRECTIONS SHALL APPLY TO THE SUBJECT APPLICATION:**
 1. The needed fire flow noted above shall be provided from a minimum of 2 hydrants and shall be spaced apart on average 450 feet from the proposed

project. Fire flow may be reduced upon construction of a four-hour wall, without openings, as per the adopted fire code. Construction of the area separation wall(s) is subject to review by the Fire Department. (**VERIFY EXISTING**)

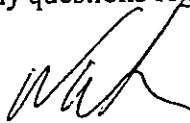
- When submitting construction plans to the Building Department, **they shall include Planning's Development Permit File Number** printed on the construction plans.
- Provide two sets of reduced plans to the Fire Department once the above application has been approved by the Planning Department.
- **THE FOLLOWING GENERAL REQUIREMENTS ARE APPLICABLE TO THE SUBJECT APPLICATION:**
- Each locked gate on site shall have an approved device with unlocking capability. Contact the Fire Department's Bureau of Fire Prevention at (408) 277-4656 for approved devices. Provide a manual means of opening gate if there is a power failure.
- Public (off-site) and private (on-site) fire hydrants shall be provided. All hydrants must meet the specifications for the City of San Jose's Fire Department. For hydrant locations please contact the San Jose Fire Department's Fire Protection Engineering Division at (408) 277-5357.
- All existing and new fire hydrants shall be at least 10 feet from all driveways.
- All structures shall be located wholly within 450 feet (road distance) of an accessible standard street hydrant.
- All dead-end streets or roads shall have a hydrant within 175 feet from the most remote end of the rear lot as per the Uniform Fire Code.
- Street numbers shall be visible day and night from the nearest street, either by means of illumination or by the use of reflective materials.
- The Hazardous Materials process can be lengthy and complex. The applicant should contact the Hazardous Materials Division at (408) 277-4659 as soon as possible to initiate the process.

Use or storage of hazardous materials, liquids, gases and/or chemicals will be subject to meeting the requirements of the Hazardous Materials Storage Ordinance, the Toxic Gas Ordinance, the applicable sections of the San Jose Fire Code, and the National Fire Codes. Submit names and amount of any hazardous materials, if they are to be stored or used, to the Bureau of Fire Prevention for review and approval.

- A permit and applicable fees must be obtained prior to the use, storage, or handling of hazardous materials, liquids, gases, and/or chemicals.

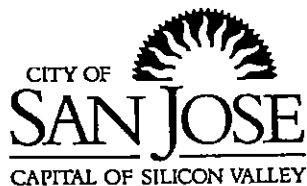
- Obtain permit and pay applicable fees prior to the installation, repair, alteration, abandonment, or place temporarily out-of-service tanks, piping or equipment in connection with the storage, use or handling flammable/combustible liquids, toxic gases, or other chemicals, and meet the requirements of the Hazardous Materials Storage Ordinance, the Toxic Gas Ordinance, and applicable sections of the San Jose Fire Code and National Fire Codes.
- Contact the Hazardous Materials Division at (408) 277-4659 regarding storage requirements for construction site use and storage of regulated materials.
- We reserve the right to make comments at a future date.

If you have any questions regarding these items, please contact me at (408) 277-8754.



BY: Nadia Naum-Stoian, FPE
Bureau of Fire Prevention
San Jose Fire Department

Fire Site Memo to Planning Application



Memorandum

TO: Jeff Roche
Planning and Building

FROM: Ebrahim Sohrabi
Public Works

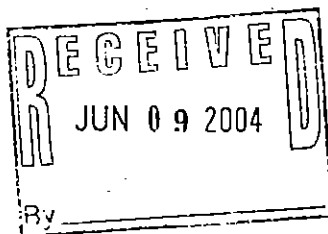
SUBJECT: FINAL RESPONSE TO
DEVELOPMENT APPLICATION

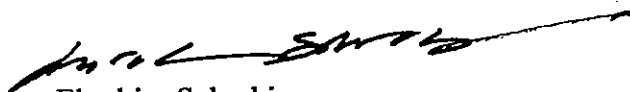
DATE: 06/08/04

PLANNING NO.: CPA84-075-01
DESCRIPTION: Wireless - Conditional Use Permit Amendment to allow the building of
mounted wireless communications antenna on a 0.1 gross acre site.
LOCATION: 9770 Monterey Road
P.W. NUMBER: 3-99999

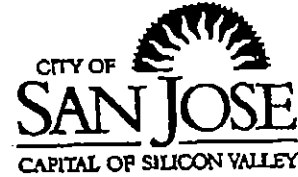
Public Works received the subject project on 05/27/04. We have no comments or requirements.

Please contact the Project Engineer, Andrew Turner, at (408) 277-5161 if you have any questions.




Ebrahim Sohrabi
Senior Civil Engineer
Transportation and Development Services Division

ES:AT:ss
6000_16804172076.DOC



Memorandum

TO: Jeff Roche
Planning Department

FROM: Tim Town
Municipal Water System

SUBJECT: Muni. Water Comments
On Proposed Development

DATE: June 8, 2004

Muni Water has reviewed the proposed development CPA84-075-01 regarding a Conditional Use Permit Amendment to allow the building of a mounted wireless communications antenna on a 0.1 gross acre site located at 9770 Monterey Road, and have no comments to make.

If you have any questions please contact me at 277-3671. Thanks for the opportunity to comment.

Timothy S.N. Town

Timothy S. N. Town
Associate Civil Engineer
Municipal Water System

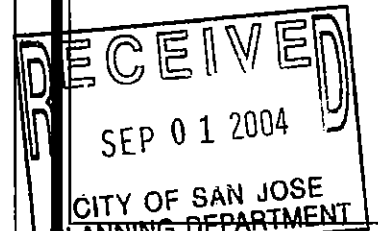


verizon wireless



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SPACE RESERVED FOR PROFESSIONAL SEAL



NO.	DESCRIPTION	BY	DATE
1	ORIGINAL RELEASE CD'S	CJW	07/22/03
2	REVISE ANTENNAS	CJW	08/07/03
3	JURISDICTION	CJW	03/28/04
4	REVISE ANTENNAS	BLT	05/20/04
5	PLAN CHECK	CJW	08/04/04

DRAWN BY: CJW
CHECKED BY: GJS
DATE DRAWN: 07/22/03
SMITHCO JOB #: 47-087

SITE NAME
MORGAN HILL

SITE #
815426

SITE ADDRESS
9770 MONTEREY RD
MORGAN HILL, CA 95037

SANTA CLARA COUNTY
SHEET TITLE

TITLE SHEET

SHEET

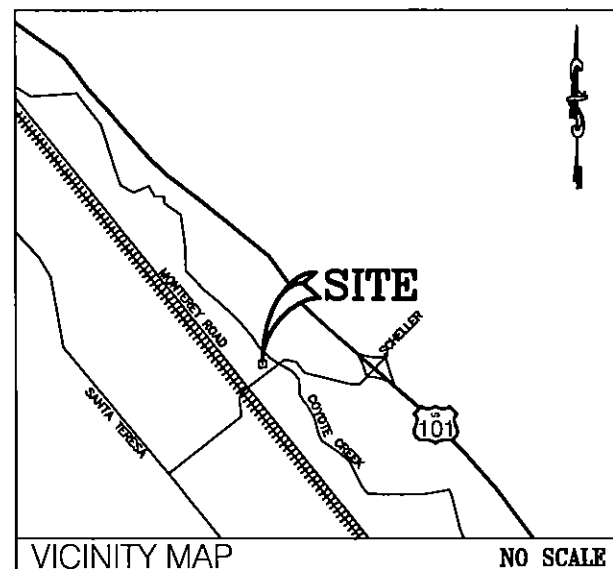
T-1

- CONTRACTOR SHALL VERIFY ALL PLANS, EXISTING CONDITIONS, AND DIMENSIONS OF THE JOB SITE PRIOR TO STARTING WORK, IMMEDIATELY NOTIFY THE ENGINEER IN WRITING OF ANY DISCREPANCIES BEFORE PROCEEDING WITH WORK OR BE RESPONSIBLE FOR THE SAME.
- FIGURED DIMENSIONS TAKE PRECEDENCE OVER SCALED DIMENSIONS.
- CONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR WORK PROCEEDING IN A SAFE AND ORDERLY MANNER IN ACCORDANCE WITH THE APPLICABLE CODES AND REQUIREMENTS OF THE OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION. CONTRACTOR AND/OR THEIR EMPLOYEES MUST IMMEDIATELY NOTIFY THE CONSTRUCTION MANAGER OF ANY NECESSARY CHANGES TO COMPLETE THE WORK/PROJECT AS DESCRIBED HEREIN.
- ALL WORK PERFORMED AND MATERIALS INSTALLED SHALL BE IN STRICT ACCORDANCE WITH ALL APPLICABLE CODES, REGULATIONS AND ORDINANCES. CONTRACTOR SHALL GIVE ALL NOTICES AND COMPLY WITH ALL LAWS, ORDINANCES, RULES, REGULATIONS AND LAWFUL ORDERS OF ANY PUBLIC AUTHORITY REGARDING THE PERFORMANCE OF THE WORK. MECHANICAL AND ELECTRICAL SYSTEMS SHALL BE INSTALLED IN ACCORDANCE WITH ALL APPLICABLE MUNICIPAL AND UTILITY COMPANY SPECIFICATIONS, AND LOCAL AND STATE MUNICIPAL AND UTILITY COMPANY SPECIFICATIONS, AND LOCAL AND STATE JURISDICTIONAL CODES, ORDINANCES AND APPLICABLE REGULATIONS.
- THE SCOPE OF WORK SHALL INCLUDE THE FURNISHING OF ALL MATERIALS, EQUIPMENT, ALL LABOR DEEMED NECESSARY TO COMPLETE THE WORK / PROJECT AS DESCRIBED HEREIN.
- CONTRACTOR SHALL INSTALL ALL EQUIPMENT AND MATERIALS WITH MANUFACTURER'S RECOMMENDATIONS UNLESS SPECIFICALLY INDICATED OR WHERE LOCAL CODES OR REGULATIONS TAKE PRECEDENCE.
- CONTRACTOR SHALL SUPERVISE AND DIRECT THE WORK, USING THE BEST SKILLS AND ATTENTION. CONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR ALL CONSTRUCTION MEANS, METHODS, TECHNIQUES, SEQUENCES AND PROCEDURES AND FOR COORDINATING ALL PORTIONS OF THE WORK UNDER THE CONTRACT INCLUDING CONTACT AND COORDINATION WITH THE CROWN CASTLE REPRESENTATIVE AND WITH THE LANDLORD'S AUTHORIZED REPRESENTATIVE.
- KEEP GENERAL AREA CLEAN, HAZARD FREE, AND DISPOSE OF ALL DIRT, DEBRIS AND RUBBISH. REMOVE ALL EQUIPMENT NOT SPECIFIED REMAINING ON THE PROPERTY. LEAVE PREMISES IN CLEAN CONDITION AND FREE FROM PAINT SPOTS, DUST OR SMUDGES OF ANY NATURE.
- CONTRACTOR SHALL MAKE NECESSARY PROVISIONS TO PROTECT EXISTING IMPROVEMENTS, EASEMENTS, PAVING, CURBING, ETC., DURING CONSTRUCTION. UPON COMPLETION OF WORK CONTRACTOR SHALL REPAIR ANY DAMAGE THAT MAY HAVE OCCURRED DUE TO CONSTRUCTION ON OR ABOUT THE PROPERTY.
- NOT USED
- THE FACILITY IS AN CO-LOCATION AT AN EXISTING TELECOMMUNICATIONS FACILITY WITH A 101' MONOPOLE.
- NOT USED
- NOT USED
- PRIOR TO THE SUBMISSION OF BIDS, CONTRACTORS SHALL VISIT THE JOB SITE AND BE RESPONSIBLE FOR ALL CONTRACT DOCUMENTS, FIELD CONDITIONS AND DIMENSIONS, AND CONFIRMING THAT THE WORK MAY BE ACCOMPLISHED AS SHOWN PRIOR TO PROCEEDING WITH CONSTRUCTION, ANY DISCREPANCIES ARE TO BE BROUGHT TO THE ATTENTION OF THE CROWN CASTLE REPRESENTATIVE PRIOR TO PROCEEDING WITH THE WORK.
- CONTRACTOR SHALL RECEIVE, IN WRITING, AUTHORIZATION TO PROCEED FROM CROWN CASTLE REPRESENTATIVE BEFORE STARTING WORK ON ANY ITEM NOT CLEARLY DEFINED OR IDENTIFIED BY THE CONTRACT DOCUMENTS.
- CONTRACTOR SHALL CONTACT UNDERGROUND SERVICE ALERT (USA), 1-800-642-2444 BEFORE PROCEEDING WITH ANY EXCAVATION, SITE WORK OR CONSTRUCTION.
- SEAL PENETRATIONS THROUGH FIRE RATED AREAS WITH U.L. LISTED AND FIRE CODE APPROVED MATERIALS.
- PROVIDE A PORTABLE FIRE EXTINGUISHER WITH A RATING OF NOT LESS THAN 2-A OR 2-A10BC WITHIN 75 FEET TRAVEL DISTANCE TO ALL PORTIONS OF THE PROJECT AREA DURING CONSTRUCTION.
- ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH CHAPTER 23 OF THE UBC REGARDING EARTHQUAKE PIPING, LIGHT FIXTURES, CEILING GRID, INTERIOR PARTITIONS AND MECHANICAL EQUIPMENT. ALL WORK MUST BE IN ACCORDANCE WITH LOCAL EARTHQUAKE CODES AND REGULATIONS.
- DETAILS ARE INTENDED TO SHOW END RESULT OF DESIGN. MINOR MODIFICATIONS MAY BE REQUIRED TO SUIT JOB DIMENSIONS OR CONDITIONS, AND SUCH MODIFICATIONS SHALL BE INCLUDED AS PART OF THE WORK.
- REPRESENTATIONS OF TRUE NORTH SHALL NOT BE USED TO IDENTIFY OR ESTABLISH THE BEARING OF TRUE NORTH AT THE SITE.
- PENETRATIONS OF ROOF MEMBRANES SHALL BE PATCHED/FLASHED AND MADE WATERTIGHT USING LIKE MATERIALS IN ACCORDANCE WITH NRCA ROOFING STANDARDS AND DETAILS. CONTRACTOR SHALL OBTAIN DETAILING CLARIFICATION FOR SITE-SPECIFIC CONDITIONS FROM CROWN CASTLE REPRESENTATIVE, IF NECESSARY, BEFORE PROCEEDING.
- CROWN CASTLE REPRESENTATIVE SHALL BE THE CROWN CASTLE MANAGER OR THEIR DESIGNEE.
- CONDITIONAL USE PERMIT AMENDMENT FILE NO. CPA 84-075-01 ADMINISTRATIVE PERMIT FILE NO. AP 04-007

GENERAL NOTES

SITE NUMBER:
815426

SITE NAME:
MORGAN
HILL



DRIVING DIRECTIONS: FROM WALNUT CREEK TAKE THE I-680 SOUTH FOR ABOUT 47 MILES, TAKE THE US-101 SOUTH FOR ABOUT 14 MILES, TAKE THE SCHELLER AVE EXIT AND TURN RIGHT, 0.8 MILE TO SITE.

SITE NAME: MORGAN HILL
SITE NUMBER: 815426
SITE ADDRESS: 9770 MONTEREY RD
MORGAN HILL, CA 95037
A.P. NUMBER: 721-10-010-00
PROPERTY OWNER:
APPLICANT: VERIZON WIRELESS
2785 MITCHELL DRIVE
WALNUT CREEK, CA. 94598
CONTACT PERSON: JIM SKELLY
(925) 737-1096
JURISDICTION: CITY OF SAN JOSE
*LATITUDE: 37° 11' 29.6"
LONGITUDE: 121° 42' 33.0"
ELEVATION: 302.3' (NAVD 88)
*LATITUDE: (NAD 27)
LONGITUDE: (NAD 27)
ELEVATION: (NGVD 29)

PROJECT SUMMARY * GEODETIC INFORMATION PROVIDED BY CROWN CASTLE

REMOVE 4 EXISTING OMNI ANTENNAS.
INSTALL 3 EACH VERIZON WIRELESS PANEL ANTENNAS,
1 PER SECTOR, 3 SECTORS, AT A RAD CENTER OF
97' A.G.L.
INSTALL NEW 5'x10' CONCRETE PAD AND GENERATOR WITH
ENCLOSURE.
INSTALL DOUBLE WALL FUEL TANK.

PROJECT DESCRIPTION

SHT. NO.	DESCRIPTION	REV
T-1	TITLE SHEET	4
LS-1	SITE PLAN	0
A-1	SITE PLAN	4
A-2	EXISTING ELEVATION VIEWS	4
A-3	PROPOSED ELEVATION VIEWS	4
S-1	FOUNDATION DETAILS	4
S-2	FOUNDATION DETAILS	4
D-1	60 KW GENERATOR AND FUEL TANK DETAILS	4
E-1	ELECTRICAL DETAILS	4
L-1	LANDSCAPE PLAN	1

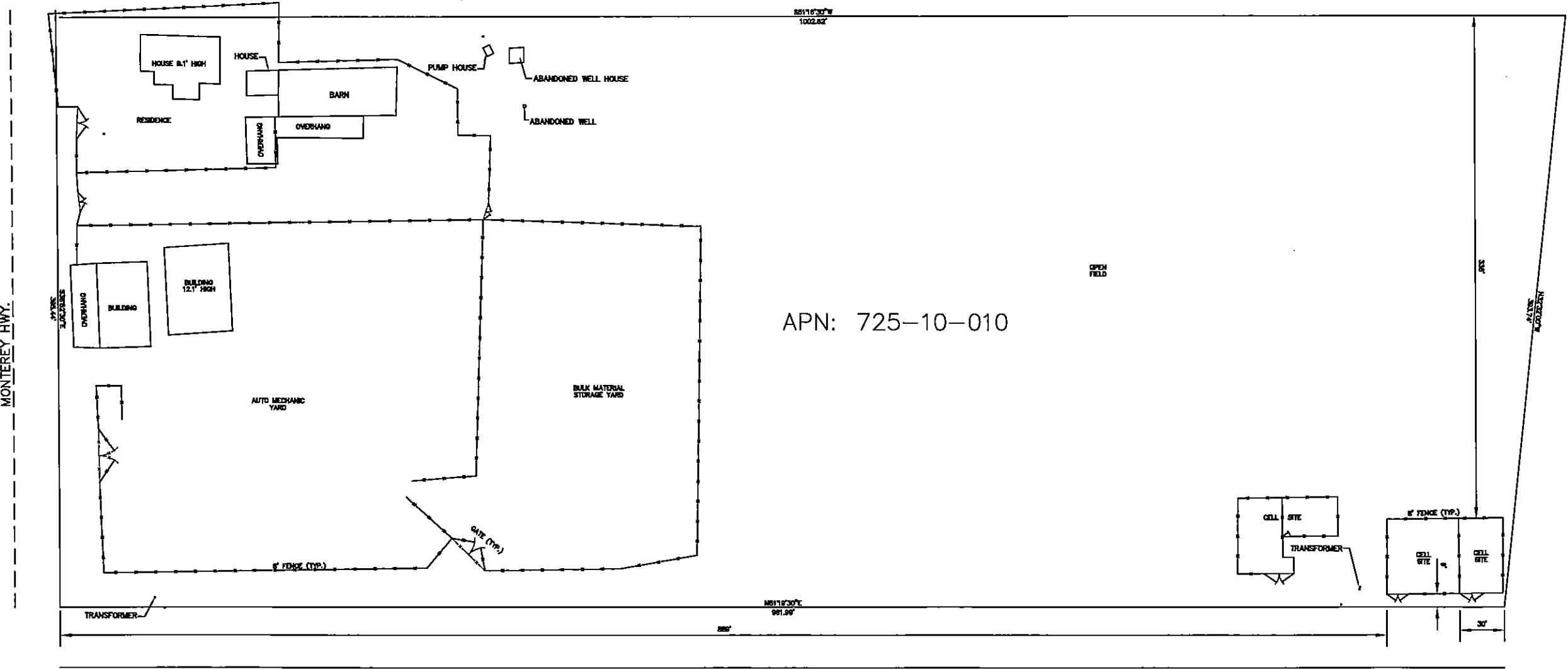
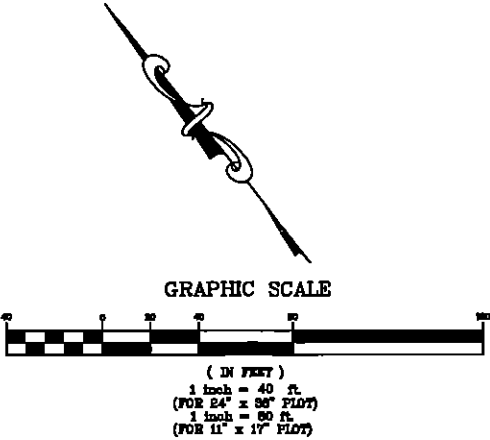
SHEET INDEX

NOTES

THIS DRAWING REPRESENTS AN AS-BUILT OF EXISTING EQUIPMENT AND FEATURES. THIS IS NOT INTENDED TO BE A BOUNDARY SURVEY. ANY BOUNDARY LINES SHOWN ARE FOR REFERENCE ONLY AND ARE APPROXIMATE IN LOCATION.

THE INFORMATION SHOWN HEREON IS BASED UPON A FIELD SURVEY AND A COMPILATION OF AVAILABLE RECORD AND TITLE INFORMATION. UNLESS NOTED OTHERWISE, PROPERTY LINES ARE DERIVED FROM RECORD INFORMATION. THIS IS NOT A BOUNDARY SURVEY.

THE UNDERGROUND UTILITIES (IF ANY) THAT APPEAR ON THIS MAP HAVE BEEN LOCATED BY FIELD OBSERVATION. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH HE DOES STATE THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM THE INFORMATION AVAILABLE.



SITE PLAN

LEGEND

- SITE BOUNDARY LINE
- - - POWERLINE
- - - PROPERTY LINE
- POWER POLE (P.P.)
- FLOOD LIGHT
- FIRE HYDRANT
- WATER VALVE
- ELECTRIC METER
- WATER METER

CROWN CASTLE
INTERNATIONAL
6801 OWENS DRIVE
PLEASANTON, CA 94588
TEL: (918) 837-8382
FAX: (925) 737-1234

SMITH & COMPANY
P.O. BOX 81826
BAKERSFIELD, CA 93380
PHONE: (805) 393-1217
FAX: (805) 393-1218

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SPACE RESERVED FOR PROFESSIONAL SEAL

REVISION		
NO.	DESCRIPTION	BY DATE
1	ORIGINAL RELEASE	CJB 12/22/03
2		
3		
4		
5		

DRAWN BY: CJB
CHECKED BY: GJS
DATE DRAWN: 12/22/03
SMITHCO JOB #: 47-087

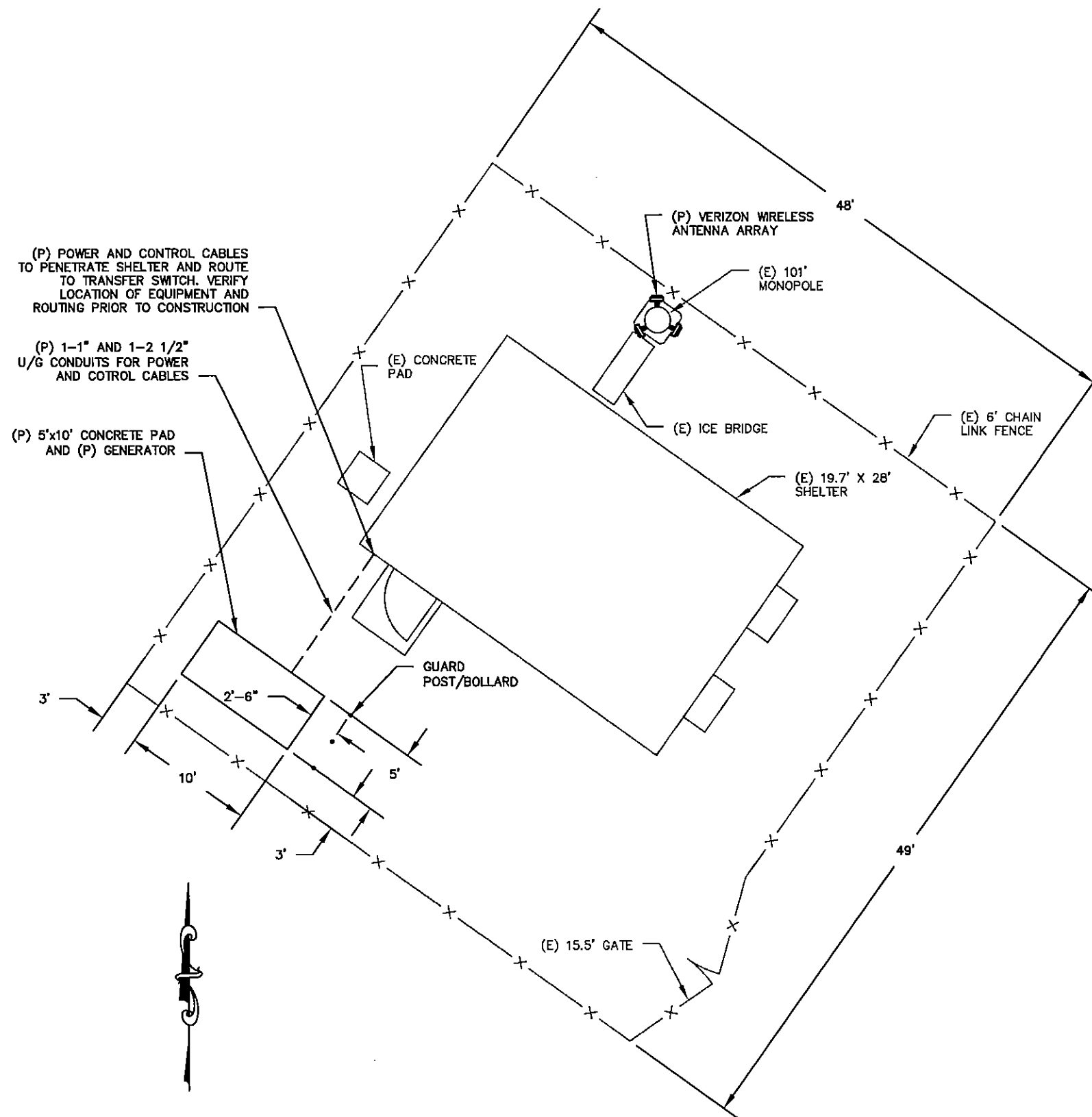
SITE NAME
MORGAN HILL

SITE #
815426

SITE ADDRESS
9770 MONTEREY RD
MORGAN HILL, CA 95037

SANTA CLARA COUNTY
SHEET TITLE
SITE PLAN

SHEET
LS-1

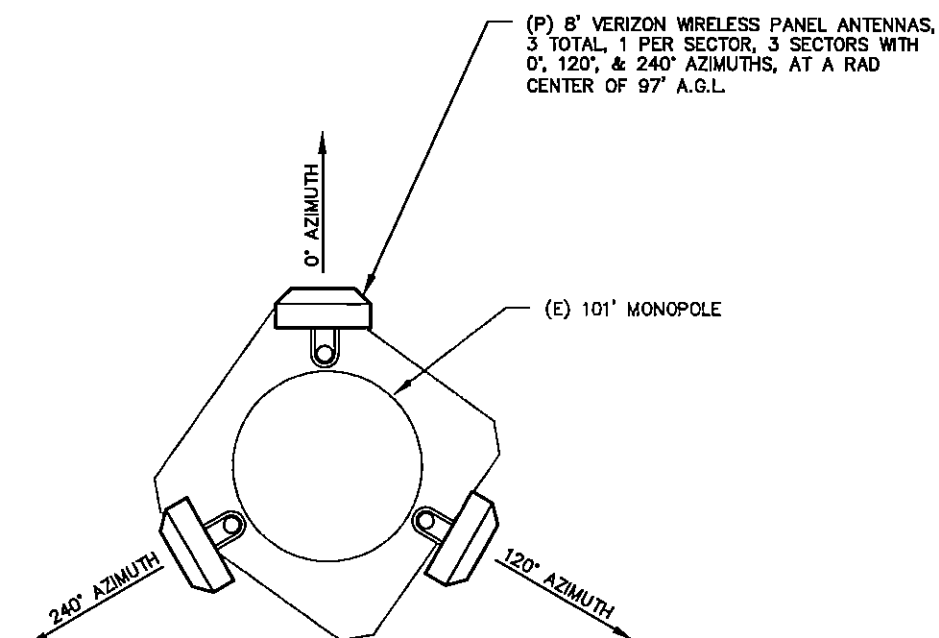


SITE PLAN

1" = 10' (for 11" x 17" plot)
1" = 5' (for 22" x 34" plot)

NOTE:

- (E) ——— INDICATES EXISTING FACILITIES.
(P) ——— INDICATES PROPOSED FACILITIES.



ENLARGED
ANTENNA DETAIL



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REVISION		
NO.	DESCRIPTION	BY DATE
1	ORIGINAL RELEASE CD'S	CJW 07/22/03
2	REVISE ANTENNAS	CJW 08/07/03
3	JURISDICTION	CJW 03/28/04
4	REVISE ANTENNAS	BLT 05/20/04
5	PLAN CHECK	CJW 08/04/04

DRAWN BY: CJW
CHECKED BY: GJS
DATE DRAWN: 07/22/03
SMITHCO JOB #: 47-087

SITE NAME
MORGAN HILL

SITE #
815426

SITE ADDRESS
**9770 MONTEREY RD
MORGAN HILL, CA 95037**

SANTA CLARA COUNTY
SHEET TITLE

SITE PLAN

SHEET

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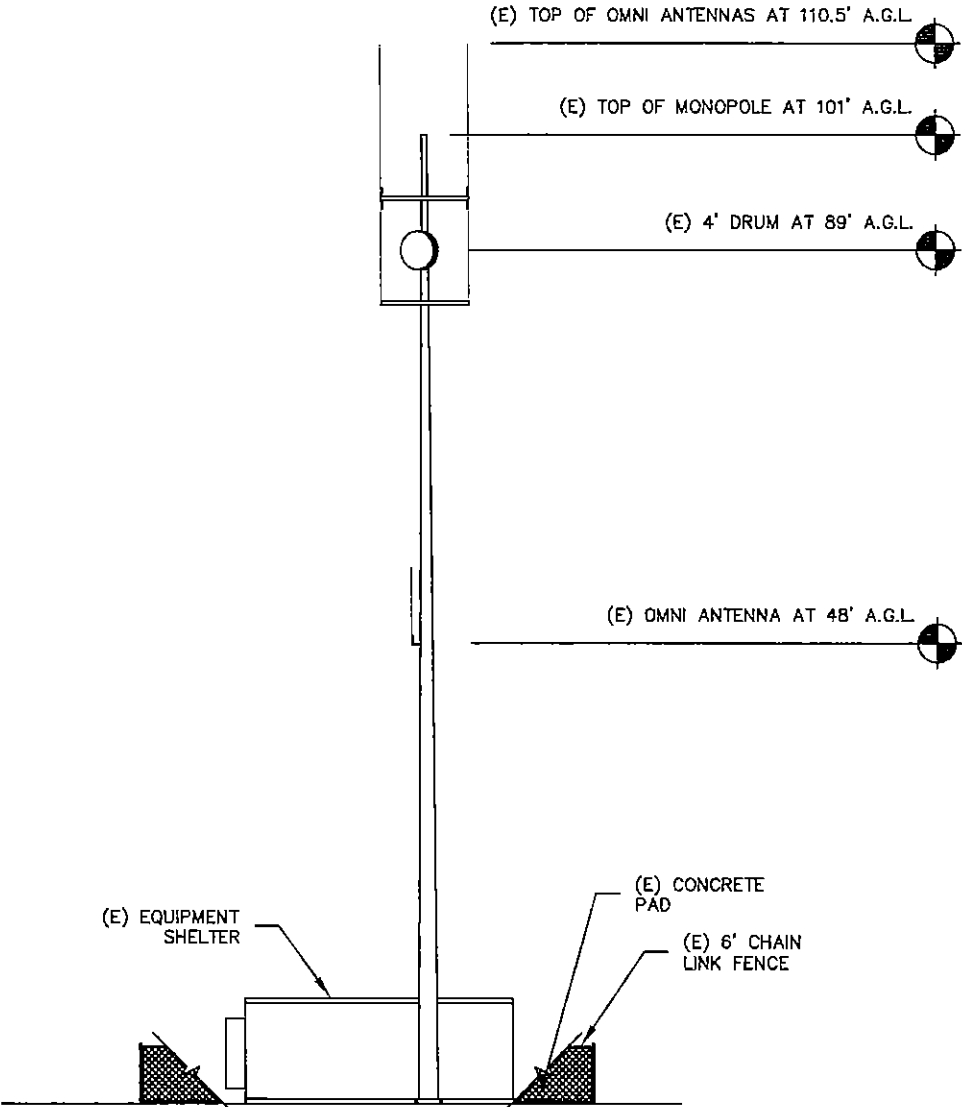
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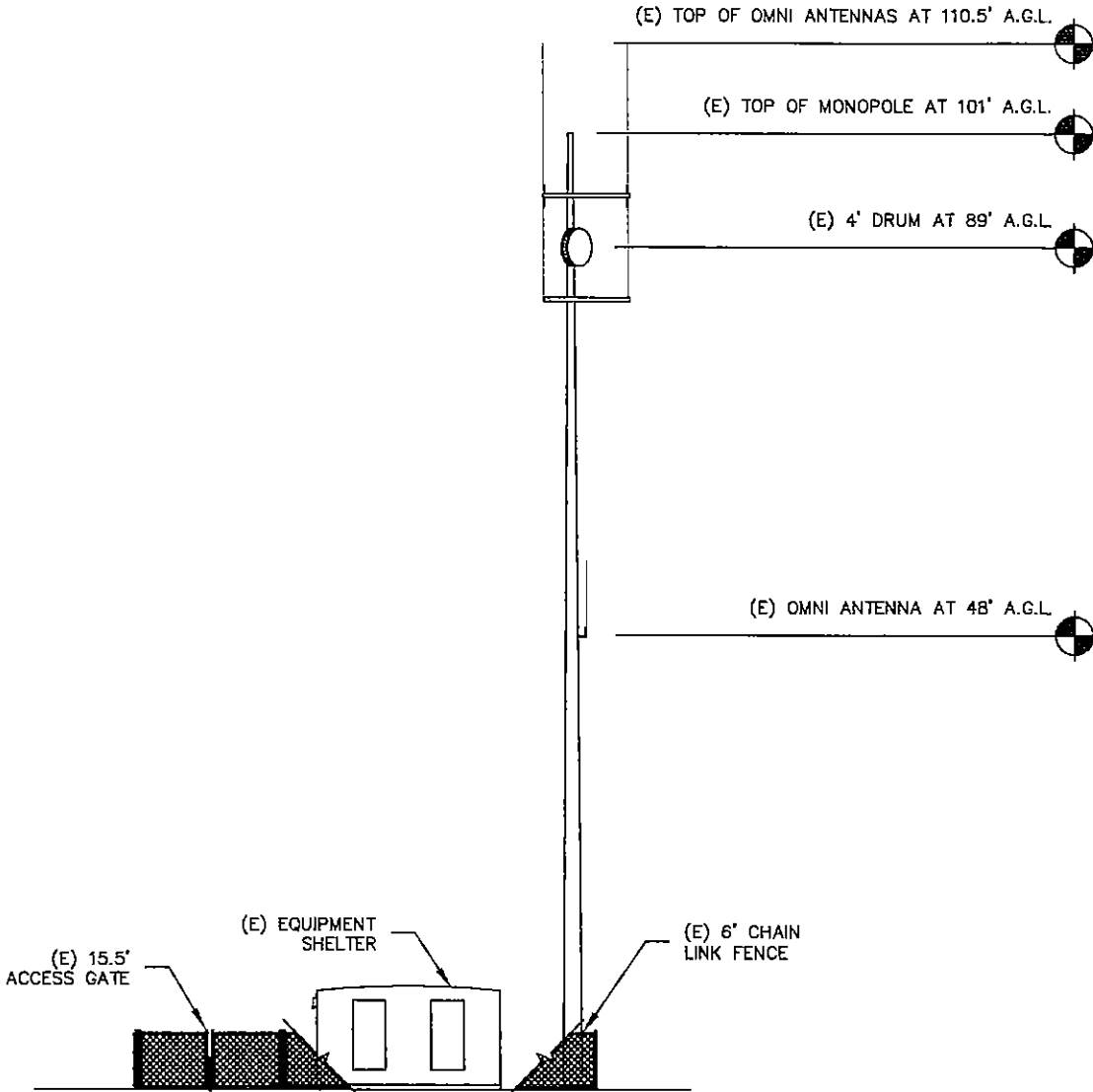
SANTA CLARA COUNTY
SHEET TITLE

EXISTING
ELEVATION
VIEWS

SHEET



EXISTING
NORTHEAST ELEVATION



EXISTING
SOUTHEAST ELEVATION

SCALE

1" = 20' (for 11" x 17" plot)
1" = 10' (for 22" x 34" plot)

NOTE:
(E) ——— INDICATES EXISTING FACILITIES.
(P) ——— INDICATES PROPOSED FACILITIES.

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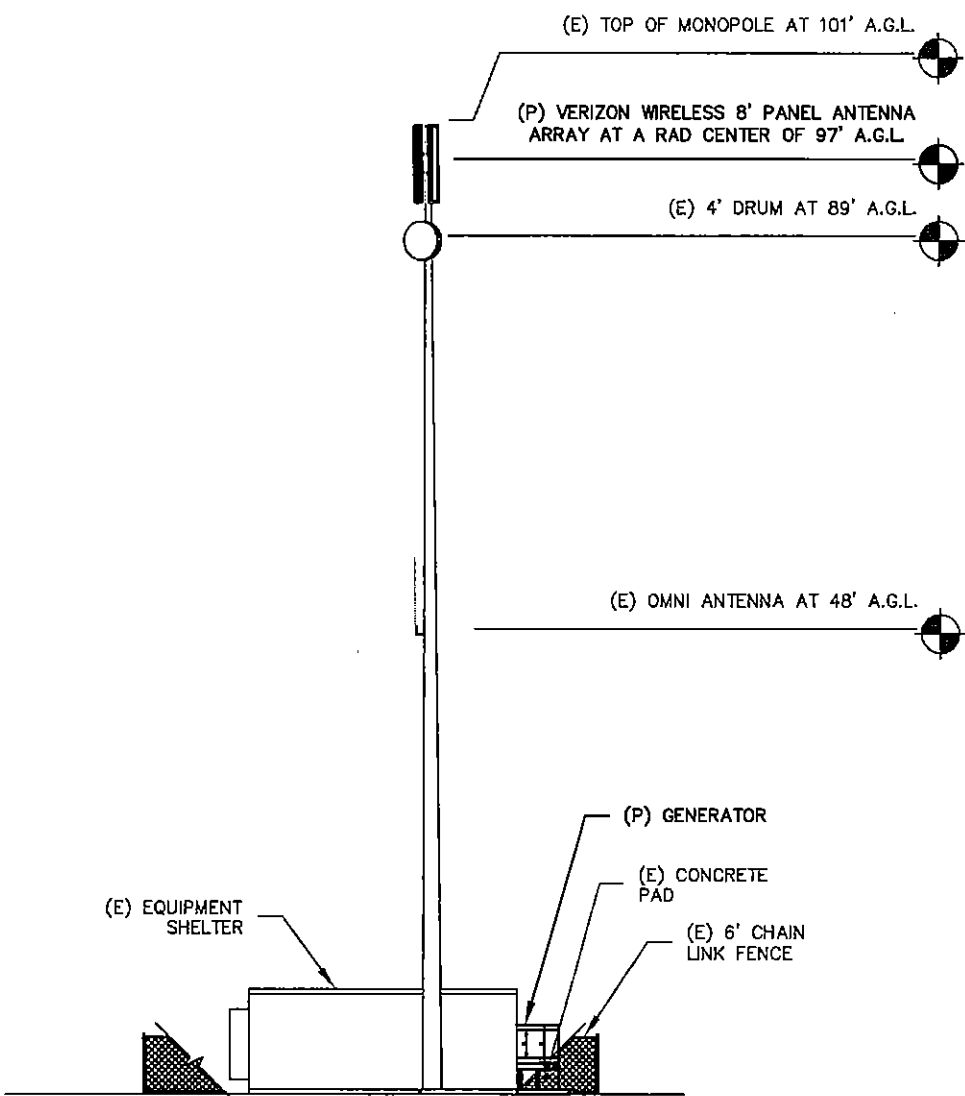
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 MORGAN HILL, CA 95037

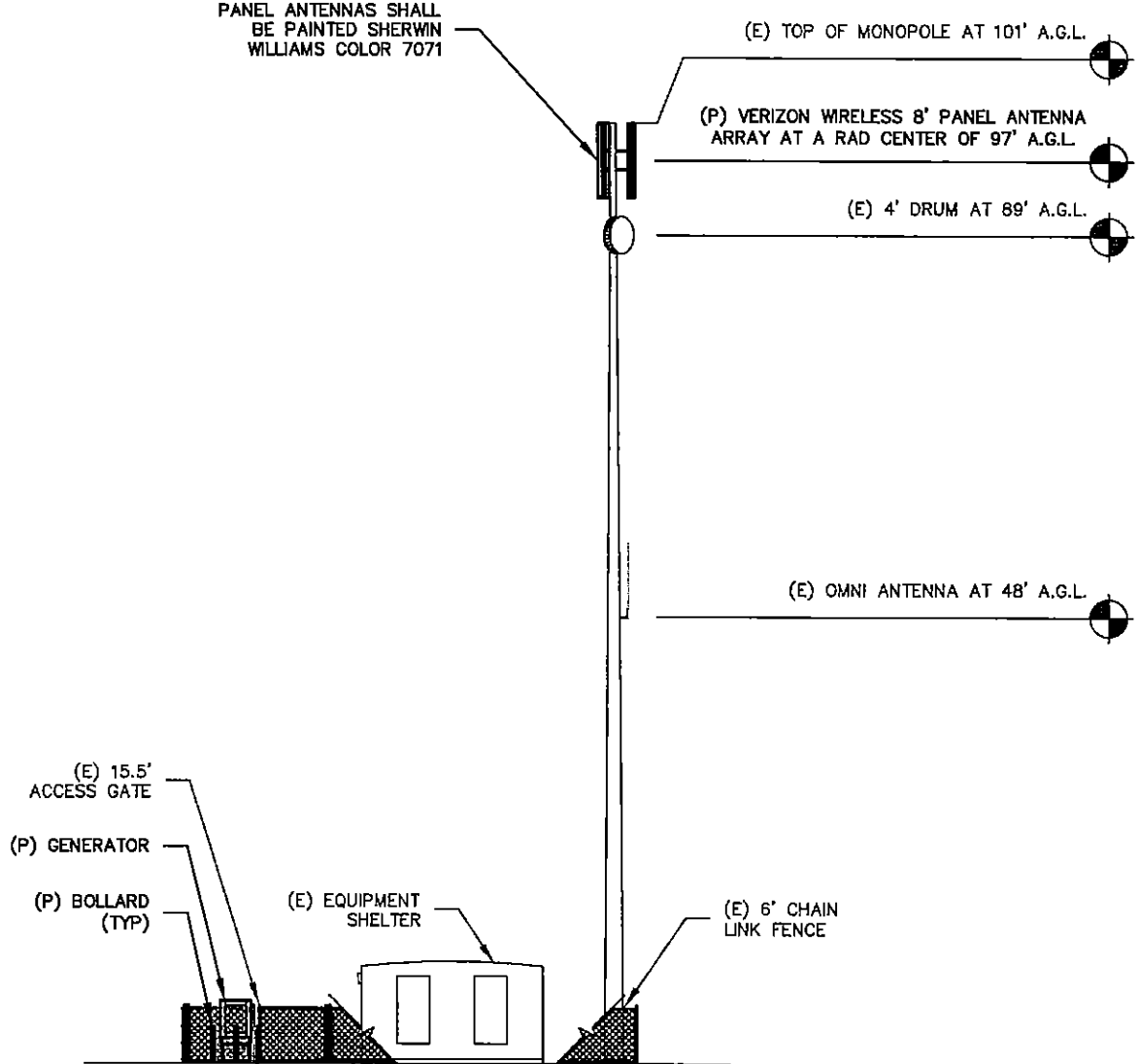
SANTA CLARA COUNTY
 SHEET TITLE

PROPOSED ELEVATION VIEWS

SHEET



PROPOSED
 NORTHEAST ELEVATION

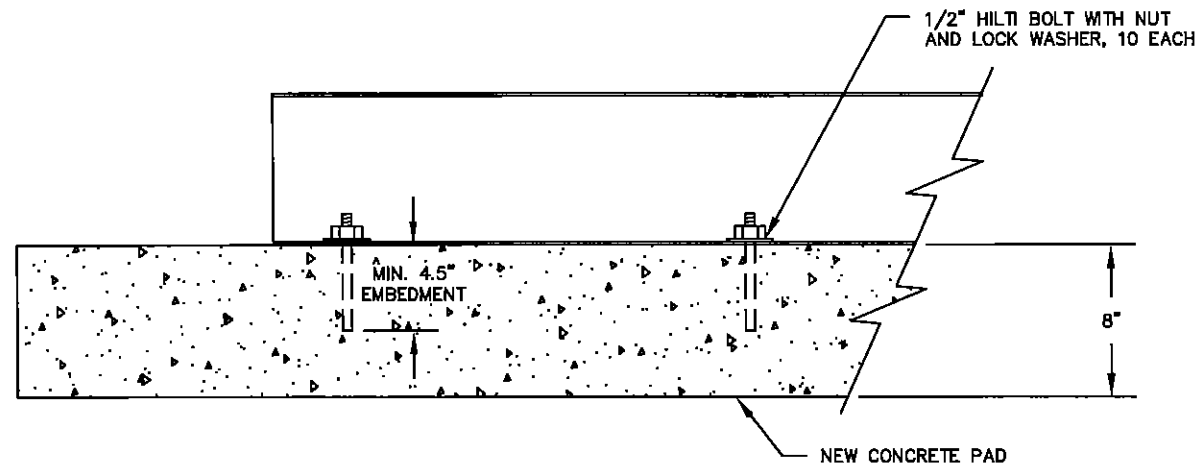


PROPOSED
 SOUTHEAST ELEVATION

SCALE

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NOTE:
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 (P) ——— INDICATES PROPOSED FACILITIES.



FOUNDATION PAD CROSS SECTION DETAIL

SCALE: 1
NONE

GENERAL CONSTRUCTION NOTES / MATERIAL SPECIFICATIONS

- ALL WORK SHALL CONFORM TO THE UNIFORM BUILDING CODE (U.B.C.), 1997 EDITION, LOCAL BUILDING REGULATIONS AND ALL STATE OF CALIFORNIA CODES AND LAWS, AS APPLICABLE.
- CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND CONDITIONS SHOWN WITH THOSE ON THE JOB. SHOULD CONDITIONS EXIST WHICH ARE CONTRARY TO THOSE SHOWN, THEN CONTRACTOR SHALL NOTIFY THE VERIZON REPRESENTATIVE BEFORE PROCEEDING WITH THE WORK.
- ALL GRADING AND EARTHWORK REQUIRED SHALL BE IN ACCORDANCE WITH THE SITE SURVEY AND PLOT PLAN (BY OTHERS) PROVIDED WITHIN THESE DRAWINGS. ALL GRADING AND EARTHWORK SHALL BE IN ACCORDANCE WITH LOCAL LAWS AND ORDINANCES AND U.B.C., CHAP. 33.
- CONCRETE FORMWORK, PLACEMENT, CURING AND FINISHING SHALL BE AS DIRECTED BY THE OWNER AND THE APPROVED PLANS. CONCRETE WORK SHALL BE IN ACCORDANCE WITH A.C.I. "CODES, SPECIFICATIONS AND RECOMMENDED PRACTICES".
- CONCRETE SHALL HAVE A MINIMUM COMPRESSIVE STRENGTH OF 2500 PSI @ 28 DAYS, UTILIZING TYPE II CEMENT, U.N.O. CONCRETE MIX DESIGN SHALL BE FURNISHED BY AN INDEPENDENT LABORATORY AND SHALL INDICATE: NUMBER OF SACKS PER YARD, MAXIMUM AMOUNT OF WATER PER YARD, DESIGN SLUMP, AGGREGATE TYPE AND ADMIXTURES, IF USED. FOUNDATION CONCRETE SHALL BE EXEMPT FROM SPECIAL INSPECTION AS ALLOWED BY U.B.C. SEC. 1701.5, ITEM NO. 2.
- NO SOILS REPORT IS PROVIDED FOR THE PROJECT. DESIGN OF FOUNDATION IS BASED UPON CLASS 4 SOIL MATERIAL PER TABLE 1B-1-A OF THE U.B.C. DESIGN SOIL BEARING PRESSURE IS 1500 PSF FOR DEAD LOAD PLUS LIVE LOAD. THE BUILDING SLAB AND FOUNDATION SHALL REST ON SOILS WITH AN EXPANSION INDEX LESS THAN OR EQUAL TO 20 PER U.B.C. SEC. 1803.2 AND TABLE 1B-1-B.

FOOTINGS SHALL BEAR ON FIRM, UNDISTURBED NATURAL SOIL OR CERTIFIED COMPACTED BACKFILL TO 95% OPTIMUM DRY DENSITY.

FOOTINGS SHALL EXTEND 24" MINIMUM INTO NATURAL GRADE OR FINISH GRADE, WHICHEVER IS LOWER. WHERE UNUSUAL SOIL OR SITE CONDITIONS EXIST OR BECOME EVIDENT DURING CONSTRUCTION, CONTRACTOR SHALL NOTIFY THE VERIZON REPRESENTATIVE BEFORE PROCEEDING WITH THE WORK.
- REINFORCEMENT FOR CONCRETE SHALL BE DEFORMED BARS OF GRADE 40 OR 60 STEEL CONFORMING TO LATEST A.S.T.M. SPEC. A-615 (GRADE 40 OR 60 FOR #4 BARS AND SMALLER; GRADE 60 FOR #5 BARS AND LARGER). BAR SPICERS IN CONCRETE SHALL HAVE A LAP OF 25 BAR DIAMETERS, MINIMUM. BARS SHALL EXTEND CONTINUOUS, FULL LENGTH OF MEMBER CONTAINING THEM OR BE SPLICED WITH SPECIFIED LAP. ELECTRICALLY WELDED WIRE MESH SHALL CONFORM TO LATEST A.S.T.M. SPEC. A-185.
- ALL REINFORCEMENT, ANCHOR BOLTS AND OTHER ANCHORAGES TO CONCRETE SHALL BE ACCURATELY PLACED AND POSITIVELY SECURED AND SUPPORTED BY CONCRETE BLOCKS, GALVANIZED METAL CHAIRS, SPACERS OR METAL HANGERS AND SHALL BE IN POSITION BEFORE CONCRETE PLACING OR GROUTING IS BEGUN.
- CONCRETE COVER FOR REINFORCING BARS SHALL BE 3" FOR CONCRETE POURED DIRECTLY AGAINST THE GROUND AND 2" FOR CONCRETE EXPOSED TO THE GROUND OR WEATHER, BUT PLACED IN FORMS.
- NO STRUCTURAL MEMBERS SHALL BE CUT FOR DUCTS, CONDUIT, PIPING, ETC., UNLESS SPECIFICALLY DETAILED.
- THIS DRAWING IS FOR STRUCTURAL (FOUNDATION) WORK ONLY. ALL WORK NOT SPECIFICALLY SHOWN OR REFERENCED SHALL BE BY OTHERS. ALL ELECTRICAL, MECHANICAL AND PIPING WORK SHALL BE PER APPROVED PLANS IN ACCORDANCE WITH ALL APPROPRIATE STATE AND LOCAL CODES.
- CONTRACTOR SHALL REFER TO THE STATE OF CALIFORNIA APPROVED PLANS ATTACHED, AS PROVIDED BY FIBERBOND CORPORATION FOR ALL FOUNDATION ANCHORAGE DETAILS AND MODULAR EQUIPMENT SHELTER DETAILS NOT SHOWN ON THIS PLAN.
- CONCRETE EXPANSION ANCHORS SHALL BE HILTI "KWIK-BOLT II", OR EQUIV., INSTALLED IN ACCORDANCE WITH THE LATEST I.C.B.O. EVALUATION REPORT NO. 4627. THE 3/4" DIAMETER EXPANSION BOLTS SHOWN SHALL BE POSITIONED TO PROVIDE 4" MINIMUM CLEARANCE FROM THE EDGE OF THE CONCRETE TO THE CENTERLINE OF THE BOLT. SHEAR AND TENSION VALUES FOR THE ANCHORS USED IN THE DESIGN ARE BASED ON 2000 PSI, MIN., CONCRETE.

GENERAL FOUNDATION NOTES

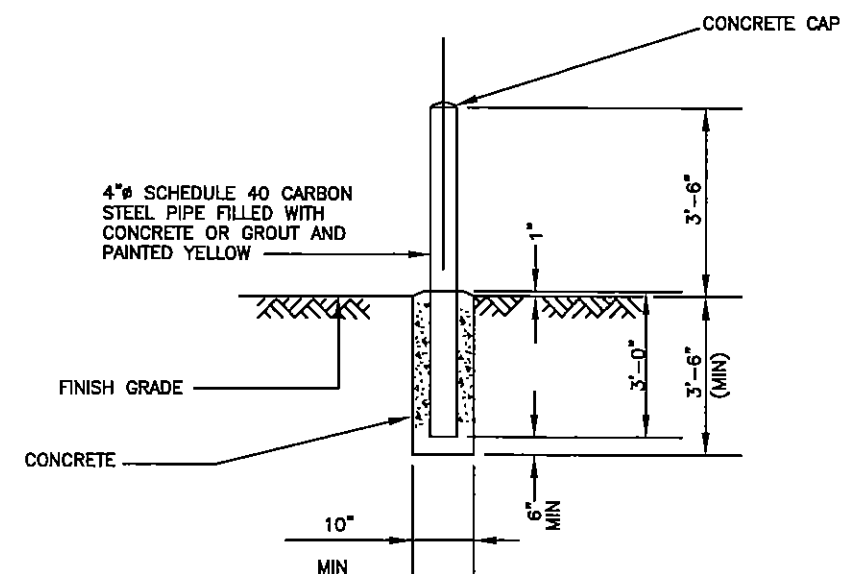
SCALE: 3
NONE

NOTES:

- REFER TO SITE PLAN FOR LOCATION OF FOUNDATION @ THIS SITE.

FOUNDATION PLANS

SCALE: 2
NONE



GUARD POST/BOLLARD DETAIL

SCALE: 4
NONE



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DRAWN BY: CJW
CHECKED BY: GJS
DATE DRAWN: 07/22/03
SMITHCO JOB #: 47-087

SITE NAME
MORGAN HILL

SITE #
815426

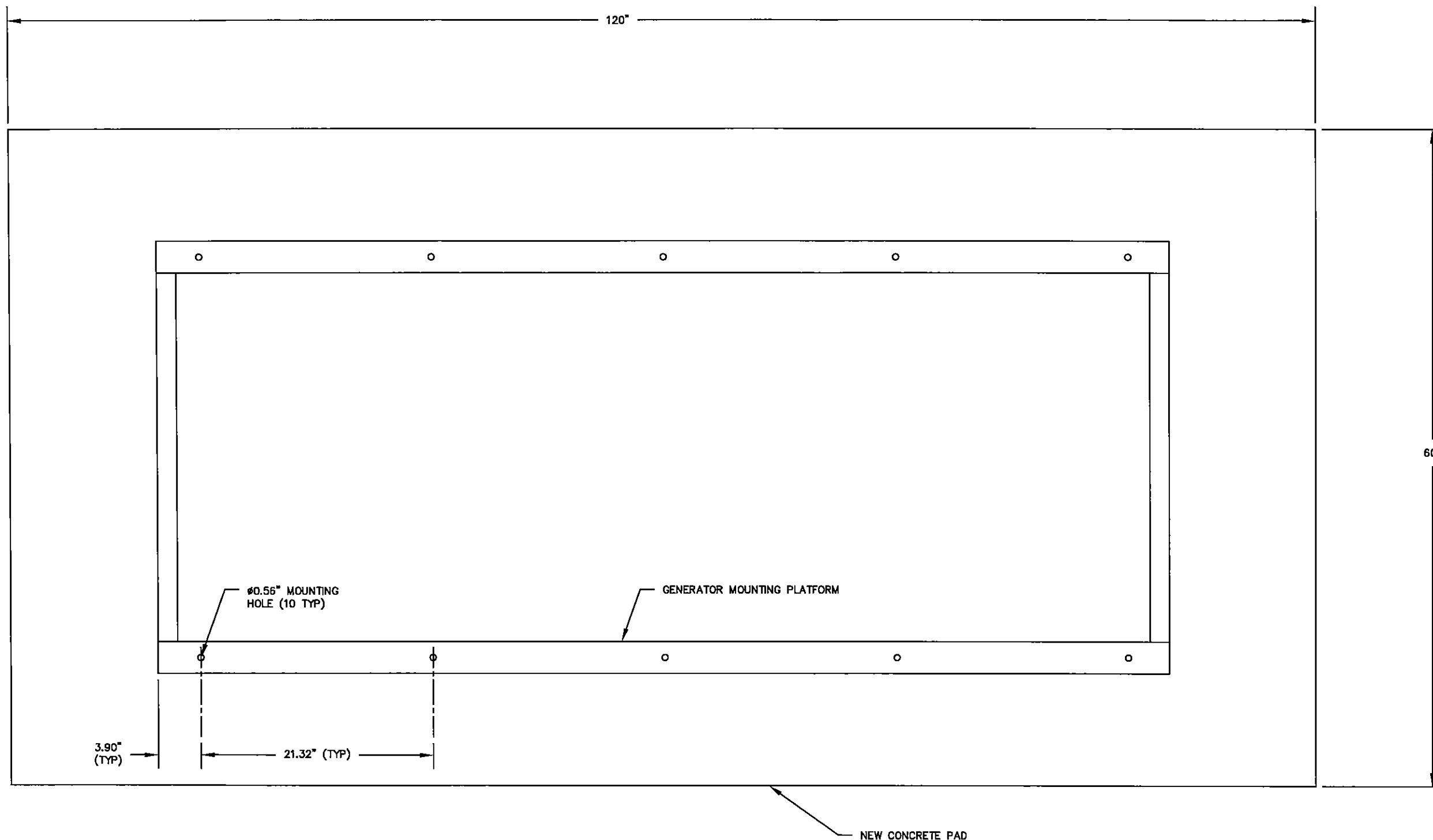
SITE ADDRESS
**9770 MONTEREY RD
MORGAN HILL, CA 95037**

SANTA CLARA COUNTY
SHEET TITLE

**FOUNDATION
DETAILS**

SHEET

S-1



CROWN CASTLE
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6801 OWENS DRIVE
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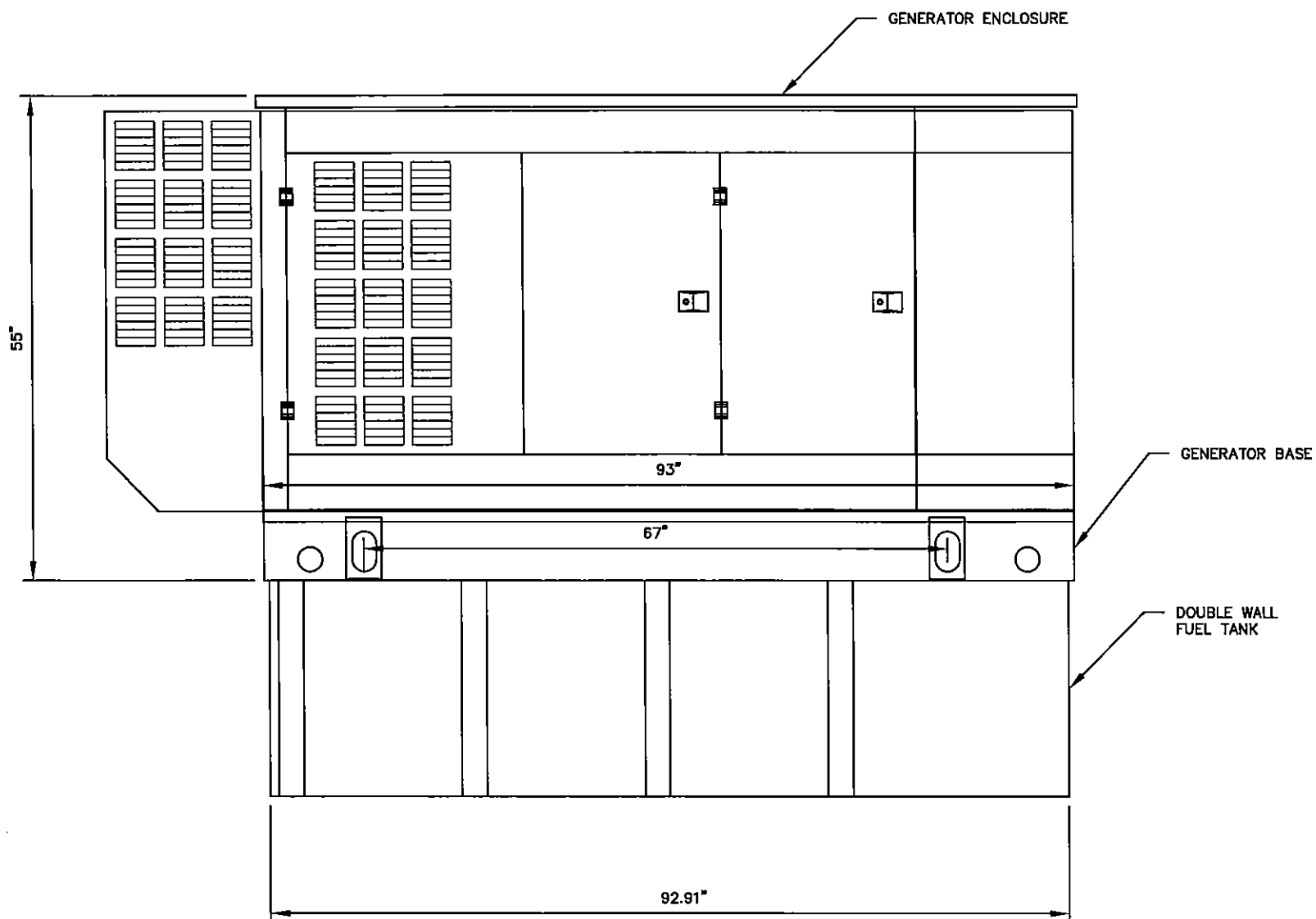
SITE #
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SITE ADDRESS
9770 MONTEREY RD
MORGAN HILL, CA 95037

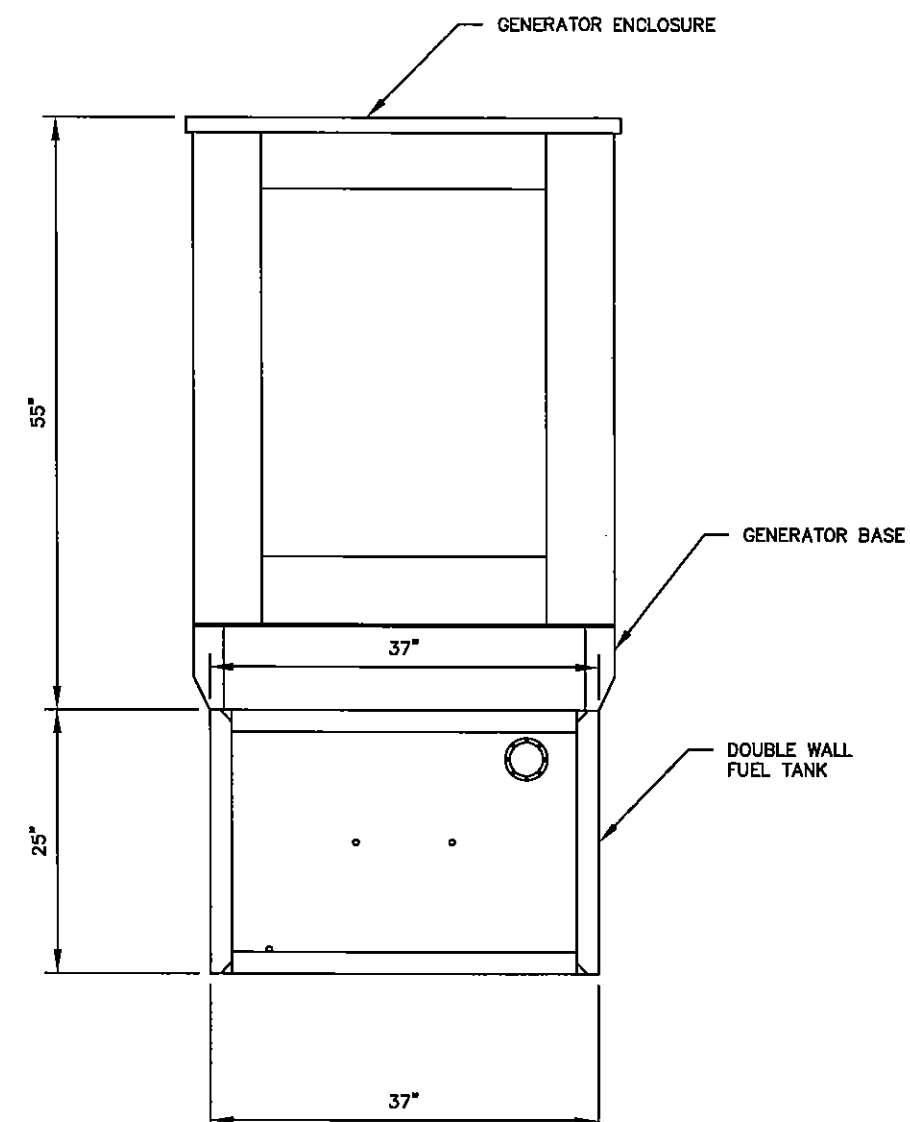
SANTA CLARA COUNTY
SHEET TITLE

**FOUNDATION
DETAILS**

SHEET



SIDE VIEW
NOT TO SCALE



REAR VIEW
NOT TO SCALE

CROWN CASTLE
INTERNATIONAL
6601 OWENS DRIVE
PLEASANTON, CA 94588
TEL: (916) 837-8382
FAX: (925) 757-1234

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BAKERSFIELD, CA 93380
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MORGAN HILL

SITE #
815426

SITE ADDRESS
**9770 MONTEREY RD
MORGAN HILL, CA 95037**

SANTA CLARA COUNTY
SHEET TITLE

**60 kW GENERATOR &
FUEL TANK DETAILS**

SHEET



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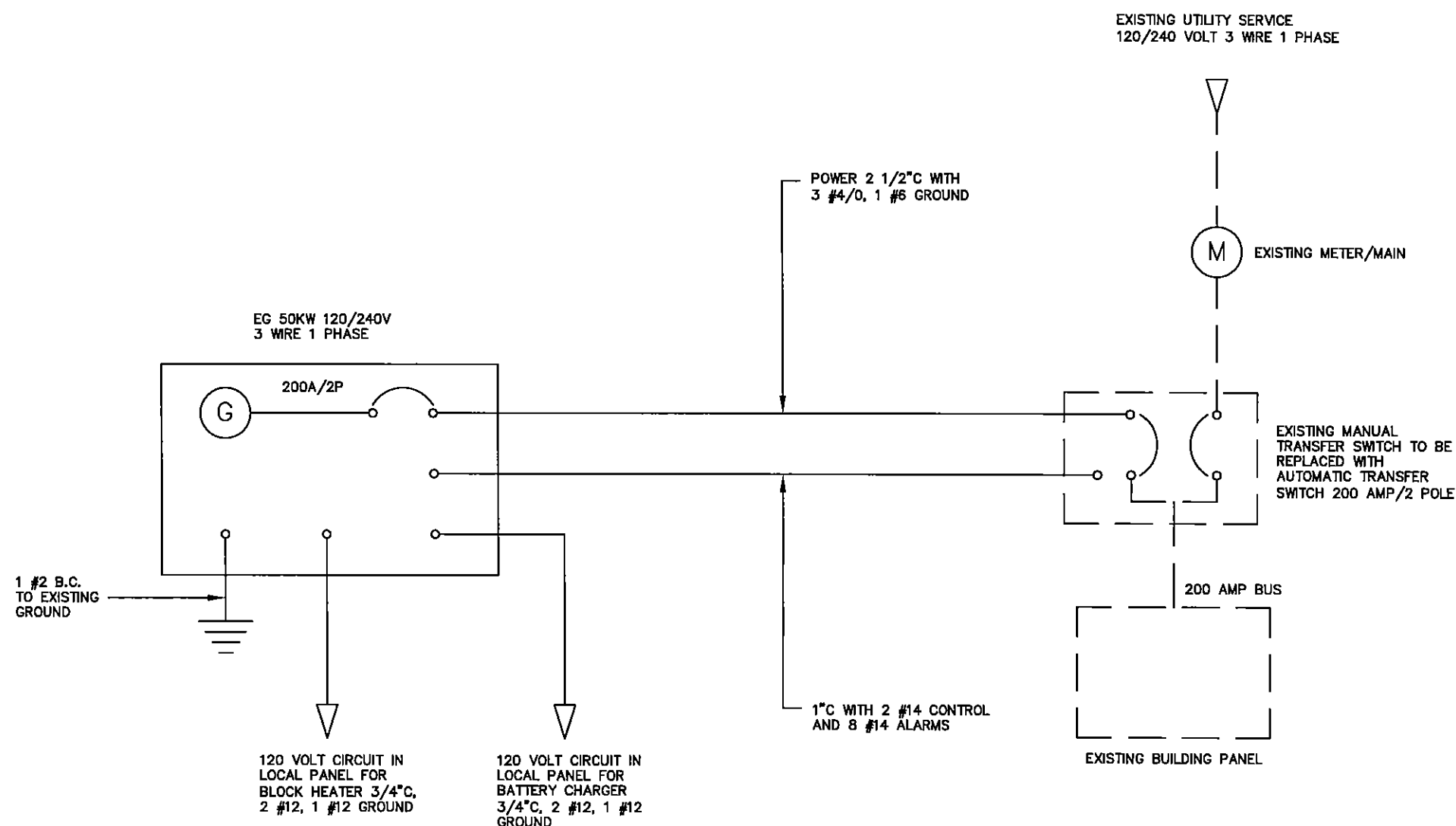
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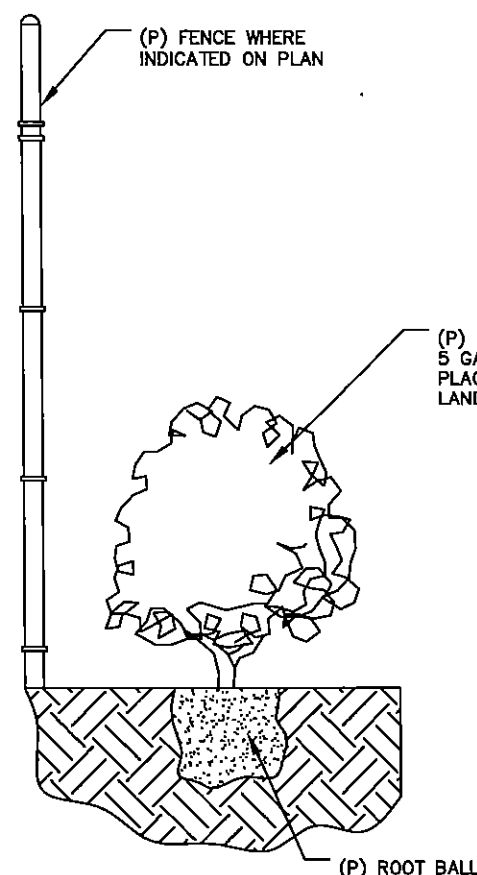
SANTA CLARA COUNTY
SHEET TITLE

ELECTRICAL
DETAILS

SHEET

E-1





DETAIL E-E TYPICAL PLANTER SECTION

1" = 2' (for 11" x 17" plot)
1" = 1' (for 22" x 34" plot)

PLANTING NOTES:

1. ALL LANDSCAPING SHALL BE INSTALLED IN ACCORDANCE WITH THE CONDITIONS OF APPROVAL FOR THIS PROJECT.

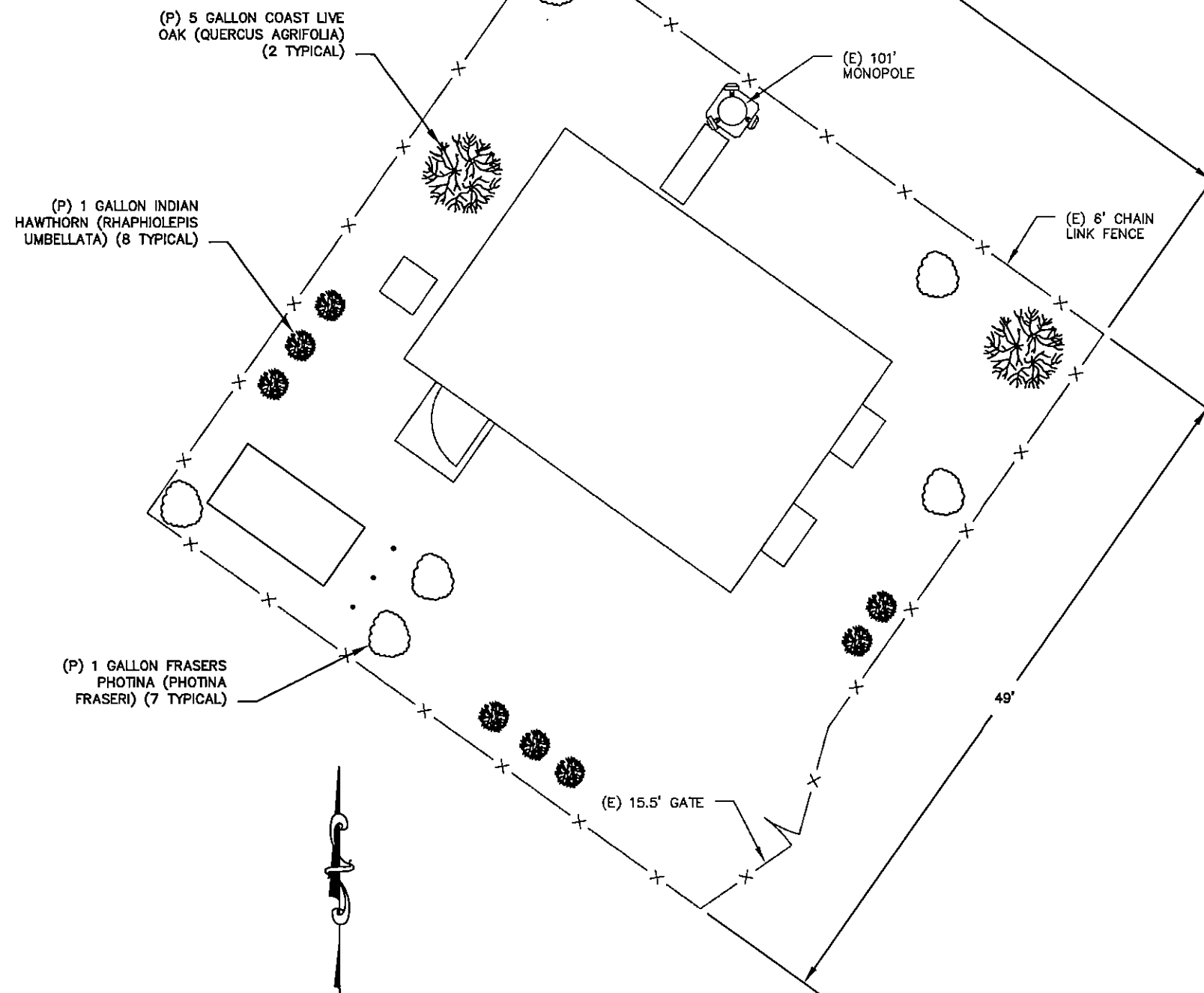
2. PLANT MATERIAL: PLANTS SHALL BE TYPICAL FOR VARIETY OF SPECIES; HEALTH: VIGOROUS, FREE FROM DISEASE AND INSECTS, WITH HEALTHY NORMAL ROOT SYSTEMS, FILLING THEIR CONTAINERS. BUT NOT ROOT BOUND.

3. CLEAN UP: UPON COMPLETION OF ALL PLANTING WORK AND BEFORE FINAL ACCEPTANCE, THE CONTRACTOR SHALL REMOVE ALL INSTALLATION MATERIAL, EQUIPMENT AND DEBRIS RESULTING FROM HIS WORK. THE SITE SHALL BE LEFT IN A NEAT AND ACCEPTABLE CONDITION AS APPROVED BY THE CONSTRUCTION MANAGER.

4. WATERING INSTRUCTIONS PER DRIWATER SPECIFICATIONS. SEE WWW.DRIWATER.COM OR CALL 800-255-8458

NOTE:

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(F) ——— INDICATES FUTURE FACILITIES.
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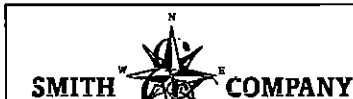


LANDSCAPE PLAN

1" = 10' (for 11" x 17" plot)
1" = 5' (for 22" x 34" plot)



6801 OWENS DRIVE
PLEASANTON, CA 94588
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SITE #

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SITE ADDRESS

9770 MONTEREY RD
MORGAN HILL, CA 95037

SANTA CLARA COUNTY

SHEET TITLE

LANDSCAPE
PLAN

SHEET

L-1